THE LIFE OF Sir LEOLINE JENKINS,

Judge of the High-Court of ADMIRALTY,
And Prerogative Court of CANTERBURY, &c.
Ambassador and Plenipotentiary
FOR THE
GENERAL PEACE
AT
Cologn and *Nimeguen*,
And Secretary of State to K. CHARLES II.

AND A
Compleat Series of LETTERS,
FROM THE
Beginning to the End of those Two Important Treaties.

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By *WILLIAM WYNNE*, of the *Middle-Temple*, Esq;

LONDON
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TO THE
RIGHT HONOURABLE
The Lord *CARTERET*,
Principal Secretary of State,
And One of His Majeſty's moſt Honourable
Privy-Council.

MY LORD,

THE Liberty that Writers of all Sorts have taken, of prefixing Honourable and worthy Names to their Labours, is too general to need much Apology, unleſs it be to your Lordſhip in particular, for preſuming to make Uſe of yours on this Occaſion, without your expreſs Leave and Approbation; and I muſt confeſs, nothing but the univerſal Report of your Lordſhip's Candour, can warrant or excuſe this Preſumption in me. But as I was caſting about for ſome proper and worthy Perſon, to patronize the enſuing *Memoirs* and *Collection*, my Choice was ſoon determined, and your Lordſhip's Name preſently occurr'd to me. Not from any of the ordinary Motives, of Dependance or Acquaintance; nor from the Senſe of any Favours or Obligations; ſince I am unknown to your Lordſhip, unleſs by Name. Nor from any Appre-

henſions of Fear or Diſpleaſure, (ſince my Deſign is honeſt and well intended; and therefore I think I have the leſs Need of ſuch a powerful Patronage. Nor yet from any Hopes or Expectations; ſince I have nothing to aſk, and expect nothing, but that Protection which is due to all the King's Subjects, or that Countenance, which your Lordſhip is always ready to impart to the meaneſt Stranger. None of theſe, *My Lord*, are my Motives. But as the following Sheets treat of a *Perſon* that was once a conſiderable Miniſter, and Principal *Secretary of State*, they naturally inclined me to think of your Lordſhip, his Succeſſor, and one of the preſent Ornaments of the ſame High and Honourable Station. And if Sir *Leoline* has no ſtrict Right, on that Account, to your Lordſhip's Patronage; yet, as far as may be gueſs'd by this imperfect Idea, I hope he is not altogether unworthy of it. I won't preſume to ſay, there is any other Analogy between your Lordſhip and Him, unleſs it is, that He was ſome time a valuable Member of the ſame Univerſity; and like your Lordſhip, during your Reſidence there, of unblemiſhed Reputation: Or unleſs it was, that He had the ſame Honour with your Lordſhip, to ſerve the Crown Abroad in ſome important Negotiations. And if your Lordſhip has acquitted your ſelf well in all Stations and Capacities, He was generally acknowledged to have done the ſame. And as your Lordſhip has hitherto, like Him, been zealous for the Honour and Prerogatives of the Crown; ſo you will, I doubt not, ever have the ſame juſt and tender Regard to the Liberties of your Fellow-Subjects, and the true Intereſt of your Country at Heart.

COULD I believe that your Lordſhip was unacquainted with any Publick Treaties or Negotia-

tions,

tions, especially that here treated of, wherein the Crown of *England* made so considerable a Figure, I should recommend the following *Collection* to your Perusal. But I am fully sensible, that every Thing so immediately within your Province, as this seems to be, must be too well known to need my poor Recommendation, or in the least to fail of your Lordship's Approbation. Nor am I so vain as to think your Lordship can receive Instruction from any other Matters herein contained, who are already so accomplish'd a Statesman, and so perfect a Judge of them. If they can afford Entertainment to a vacant Hour, or at any Time serve to unbend your noble Mind from the Hurry and Fatigue of publick Business, it is as much as I expect. Persons of ordinary Capacity, read Matters of this kind to learn or to imitate, those of your Lordship's Genius, not only to imitate; but to exceed them. And when I consider those high Employments Abroad and at Home, which Your Lordship (young as you are) has already pass'd through, and with what Applause you still go on for the Service of your Country: When I consider your Lordship's Abilities, every Way equal to those Employments; your Acquaintance with the Learned, both dead and living, foreign and domestick, and the many different Kinds of Literature which you are Master of; it must be owned, that your Lordship does not copy after any President, or the Example of any former Age, that you are but little beholden to Time or Experience, and have attained to them by some unknown and more compendious Way. In a Word, if your Lordship's high Birth and ample Fortune, have given you some Advantages above ordinary Men, Your own Genius, and early Application to Business, have certainly afforded you many greater.

They

They that are honoured with a nearer Approach to your Lordſhip's Perſon, I doubt not, might add a great deal more; but every one knows thus much, and even your Enemies, if you have any, muſt allow this little to be true. But I, that am at ſo great a Diſtance, and now as it were ſpeaking of You to Your own ſelf, ſhall ſay nothing further, unleſs it be to hope, that the Portraiture here offer'd may not be utterly diſpleaſing to your Lordſhip, tho' it ſhould be too mean and imperfect for the Exactneſs of your Judgment. Were Sir *LEOLINE* ſtill alive, (as great and as modeſt as he was) he would, I am ſure, be proud of your Lordſhip's Approbation; which muſt needs do his Character a real Honour, and convince the ignorant and incredulous Part of Mankind, that I have barely done Juſtice to his Merits. However, I ſhall have this Satisfaction at leaſt, that it has afforded me an Opportunity of ſhewing, in ſome meaſure, by this Addreſs, how much I am

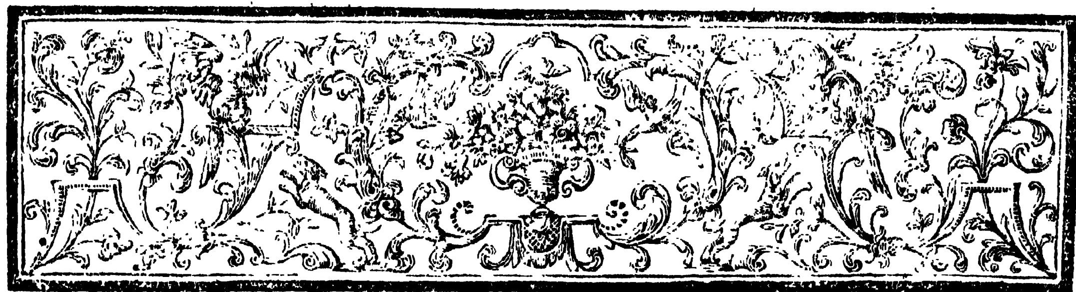
Your Lordſhip's Admirer,

As well as your moſt Humble Servant,

William Wynne.



The



THE PREFACE.



OMETHING perhaps may be here expected by way of Preface *or* Introduction, *to let the* Reader *know, by some general Idea, what he is to meet with, in the Perusal of the following Sheets. That is, something of the* Author *and* Publisher, *and of the Authority or Genuineness of this* Collection.

First *then, here is presented to the Reader's View some* Memoirs *of the* LIFE *of Sir* Leoline Jenkins, *the* Author *and original Owner of this laborious* Collection, *and no mean or inconsiderable Person of the last Age. As in most Mens Lives, tho' never so obscure and private, something is remarkable, which it may be worth our while to know; so this now before us, contains in it a very great and valuable Character: And if this imperfect Relation can bear any proportion to his great Piety, Virtue, and Learning, as well as to his other extraordinary Endowments, it will afford us some Entertainment and Instruction, and many Things worthy of our Imitation. But as he was a* Statesman, *and for some time one of the first in Rank, it must necessarily contain some remarkable Transactions that arose during the Time of his Ministry, and in the Course of those High Employments, in which he had the Honour to serve the Crown Abroad and at Home. What those Employments were, the Reader is already inform'd in part by the* Title-Page, *but will be more fully by the following Relation.*

All I have to say of him is indeed but little, and far short of so copious a Subject; and perhaps I have told that little much worse than many others yet living might have done, upon their own Knowledge and Observation. And I am fully sensible, how hard it is to assign the true Springs and Motives of any living Man's Actions, more especially to form the Reasons of their Conduct, after their Decease, and at such a wide Distance of Time. I cannot therefore take upon me to say, that I have committed no Mistakes, that I have not omitted any remarkable Passages of his Life, which could they have been retrieved, perhaps might have shewn him still better to Posterity. Neither can I affirm, that no printed Passages have escaped my Observation: But I can say, that I have faithfully collected and put together the several Parcels of his Life, that have any way come to my Knowledge, and all the Memoirs of him which I could meet with, and safely depend on, either among those that were familiarly acquainted with him, from his own Original Letters and Papers, or else in Print. I have also particularly consider'd what is said of

him

him in the History of those Times, *lately published under a* Right Reverend Name. *To render this Account the more compleat, or to give it all the Resemblance that is possible of the Person, whom it is intended to represent, and to shew him in every Capacity of Life, I have occasionally intermix'd some of* his own *Observations and Reflections, the Length of which would not too much interrupt the Relation; and have added many other Letters and Papers in the ensuing Collection, which were most suitable to the Nature of my Design; or in some measure necessary to prove the Facts herein advanced.*

They, *I confess, are the truest Images of him, the best and most perfect Representations of his Mind. And all I shall say of* them *here, by way of Introduction, is what has been truly observed by others on the like Occasion; That there is no kind of Writing, which Men do generally with more Greediness look into than* Letters, *especially of wise and politick Persons, or of a busie, inquisitive Age. Not only as they best discover the Temper of the Writers, but describe Things and Actions, while they are alive and breathing as it were; whereas all other Accounts are of Things past and dead. And it is apparent, that Collections of this kind, where they have been reputed genuine, have always met with a favourable Reception, tho' they have been without Order and Coherence of Time or Matter, but confused Thoughts, or meer Scraps, and I think I may truly add, sometimes on very trifling Subjects. Many of the Letters and Papers contained in this Collection, are, I confess, writ at very distant Times, and on very different Occasions, and perhaps not finished in an equal Degree; yet I dare promise the Reader, are valuable both as to the Matter and Manner of them, and upon very weighty and useful Subjects.*

For *some of them contain the Solution of many nice and curious Questions of the* Civil Law, *and* Laws of Nations, *that arose within the Time of his Ministry, and in my humble Apprehension, seem to be thoroughly consider'd, and judiciously founded. Others of them, afford the proper* Construction *of some important* Treaties *of Peace and Commerce, not only useful to the Professors of Law, but absolutely necessary to be known by those who would truly deserve the Name of Statesmen; and by all, who either have, or intend to have any Intercourse with Foreign Nations. Some of them more immediately concern and treat of the Rights and Privileges of the* Universities. *And others of them shew the Transactions and Debates of those Times in* Parliament, *and several great Cases of Property at the* Council Table, *where a wise Prince frequently presided and adjudged in Person.*

The rest, *and the greatest Part of them, concern the two famous* Embassies *of* Cologn *and* Nimeguen. *Of the first of these, little or nothing has been ever published that I can meet with. And tho' the latter has been the Subject of many able Pens already, yet the Method in which it is here presented to the Reader is altogether new, if not the most faithful and genuine. That is, not by dry or insipid Forms, Projects, Memorials, &c. which have been indeed already in a great measure collected and published, (and are therefore here wholly omitted) nor by way of History or Memoirs; but by an exact Series of original* Letters *from the Beginning to the End of those Embassies. I doubt not, but the Reader will observe many material and remarkable Incidents, which were before either unknown, or at least omitted by all former Accounts, both in the latter as well as in the former Treaty, Sir* Leoline *being the* only Mediator *that continued there throughout the whole Course of it. And there is not only his* bare Word *and* Authority *for the Truth of those Facts and Passages, but the* Originals themselves *carefully preserved and handed down to Posterity in a most authentick and well-attested Manner; as the Reader may see in the* [58 *Page of the*] *following Life. Such was Sir* Leoline's *generous Care, that the Crown in succeeding Ages might not want any Lights which were in his*

Power

Power to give, towards the asserting of its just Rights and Prerogatives, whenever Occasion should require.

I need therefore say little in Favour of this Part of my Collection: For, I think, it is universally allow'd, that the Memoirs and Negotiations left by publick Ministers, contain the most natural and useful Knowledge, and by which the Mysteries and Policies of States may be best unfolded. Because none can make so faithful a Report of Things done Abroad in all Nations as Ambassadors, *who always have the best and most authentick Intelligence, and consequently give us a better Account of Things, Times, and Persons, than any others can do. And those that know the true Value of this Sort of Collections, will never think them antiquated or out of date. For tho' the Persons or Names of the Agents are not the same, yet the Circumstances of Things, the Policies, the Reasonings, and Interest of States, and their Ministers, are, and probably will be, much the same at all Times.*

The general good Reception which the Lord Arlington's *and Sir* W. Temple's *Letters have met with among the Learned, is too well known to need any Mention. But not in the least to derogate from their respective Worth, it must be admitted, that the Subject Matter of* them *concern only* private and particular Treaties *with Princes of the Empire,*&c. whereas *the* following Collection *concerns the* General Peace *of* Christendom, *and* almost every Prince and State *of* Europe, *that by some Means or other were drawn into these Treaties. In that of* Cologn, *besides other remarkable Occurrences that fell out, within the Compass of it, there is related all that can be urged, as well on the one Side, as on the other, upon those two important Articles and Prerogatives of the* Crown *of* England, *the* Flag, *and the* Fishery. *And when I consider the Length and Importance of the* Treaty *of* Nimeguen, *where the Crown of* England *made not only the greatest Figure, which it ever yet appear'd in, but also that it has been the Basis and Foundation for several succeeding Treaties; I cannot but think this Collection will be extreamly useful to those, that may happen to serve the Crown hereafter in such Honourable Stations. But at* this Conjuncture *surely cannot be improper to be revived, when all* Europe *is under the like Expectations from the present* Treaty *of* Cambray, *and when every one therefore is apt to turn his Eyes towards Relations of this Kind.*

It has been a long and just Complaint, that our own Countrymen have been so modest and reserved, as not to make publick their Negotiations abroad, so that the World has hardly any Notion of them. Whereas the French *and* Italian Ministers *have generally done it with great Ostentation; and for that Reason only have been thought to excel in this Way. To obviate then in some Measure such Complaints for the future, here is a full and a faithful Account of those two* Treaties, *in which Sir* Leoline Jenkins *was concerned; at the one, under the Character of* Ambassador *and* Plenipotentiary; *at the other, in the Function or Quality of a* Mediator; *carefully taken from his own original Papers,* without derogating *in the least from that Share and Part which his* Collegues *at any Time had in those Negotiations. And its own intrinsick Worth, is the best* Encomium *that can be given of it.*

As to the Sincerity *and* Genuineness *of these Materials, as well as of the rest of the following Collection, tho' most of them, I doubt not, will prove and authenticate themselves; yet it may be necessary to advertise the Reader, that I am indebted for them to the Care and Industry of a* very near Relation, *who was* Secretary *to Sir* Leoline, *during the whole Time of those Two* Embassies, *as well as* One *of his* Under-Secretaries *of State, and much esteemed by him to the Day of his Death.* To whose Disposal, *Sir* Leoline *did by his last Will*

leave all his Papers, *as may be seen more at large in the* [58 *Page of the*] *following Life. Whose Opinion on the other Hand of Sir* Leoline's *Abilities, if that can be of any Weight, was so great, that where he could not retain the Originals, yet he was careful to preserve even* his rough Draughts *and* first Conceits *of Things.*

Now whatever Welcome the Generality of the World may vouchsafe to these Papers, or to the Memory of Him *they treat of, I am perswaded, that they cannot fail of meeting a good Reception from all such, as either understand, or love Literature; especially from* that Part *of* Great Britain, *who are more nearly concerned in his Character, and consequently most interessed to preserve his Story. It may perhaps be to little Purpose, to court every ordinary Reader into a favourable Opinion of them; for when I have said what I can, he will think and judge of them as he pleases. It is as needless to mention every Person or Book I am beholden to upon this Occasion, for if the Facts be true, and the Inference and Observation be just and pertinent, it is all I desire. And, as the collecting of these Papers together in this Manner, was some Amusement to my self, I shall be fully satisfied, if I can please or profit any one else, by reviving the Memory of so good an Example, tho' by this faint and imperfect Representation.*

I freely profess, that I have some Honour and Esteem for the Memory of the Person *here treated of, that it has been some Pleasure to me to rescue his Merit from Injury and Oblivion; but yet I am neither of his* Kindred, *nor of his* Country, *nor ever enjoy'd the least Share of his* Benefactions, *and therefore think, I can with great Sincerity say, that I am under no Temptation of concealing or palliating any Failure, of disguising or mis-representing any Matter of Fact, or of saying any Thing of him throughout the whole, but what is true, or what, upon probable Grounds and reasonable Evidences, I believe to be so. Nay, where there is so much excellent Truth to be told in* good Earnest, *and so many* Realities *to be admired, it would be inexcusable, as well as needless in me, to make use of any false Colours and Disguises, and by that Means deceive the Reader, even while I am telling him the Truth. I have therefore endeavoured to set him out in his own true and native Simplicity, and in the very same Honesty in which he lived, as the best and only Way to be truly just to his Memory. Thirty or fourty Years after a Man's Death, his true Character may be drawn without Offence to any one. All Passions are at an End in the Grave, and Time wears off those little Deformities, which the Heat of Party, Prejudice, or Ignorance, are apt to represent; and as there is now no Place for Envy, Calumny, or Partiality on the one Hand, so there can be none for Hope, Interest, or Flattery, on the other.*

If there are any Mistakes or Blemishes to be found in Sir Leoline's *Conduct, the best Men are not exact in all their Opinions and Actions; and 'tis hoped, there are still sufficient Beauties to compensate for them, and impartial Posterity upon the whole, will permit him to have the Repute of a* Great *and a* Good Man. *I would not be understood to say this by Way of Apology, as if He had wanted any Honour or Respect from the Age, in which he lived, especially from the sober and judicious Part of it, or from the living Witnesses of his Vertue and Piety in the present Age. Or as if I was conscious of any Blemish in his Character;* unless *some may reckon it a* Crime, *for a Subject to be* over-faithful *to his Prince, and a Servant to be true and* constant *to the Interest of a* Master, *from whom he had received the greatest Favours and Obligations.* Or unless *they may esteem a stedfast and disinteressed Love of his Native* Country, *and its ancient legal* Constitution, *to have been a Fault. Which were ever yet allow'd to be* honest Prejudices, *and such as ought rather to be indulged than censured. I need not* here *be more Particular in my meaning.*

Every

Every one must be sensible, how hard it is to keep an even and exact Ballance, or to observe, upon all Occasions, the precise Measures between a servile unworthy Compliance, and those just and real Proofs of Duty and Affection, which every Man ought to give his Prince or his Country. But yet, whatever Principles *or* Notions of his *are herein to be found, that are since* exploded, *or contrary to the Sence and Understanding of the present Times; I hope the Reader will be pleased to consider the* Time *and* Circumstances *in which Sir* Leoline *lived, and that it is the Language or Opinion* of him, *or* of those Times, *and not mine.*

In speaking of his Piety *and* Devotion, *if I seem guilty of any little Excesses, without producing all my Vouchers, I assure the Reader beforehand, that it is not because I want them, or because they would not really justifie me in a great deal more than what I have said; but in Regard to the last Words and Injunctions of Sir* L. Jenkins *to my beforementioned* Relation, *in his Will,* to destroy and burn all Broüillons, all Conceipts, Draughts, and Scraps of Devotion, *as he was pleased, in his great Humility, to call some good Compositions. Under which Injunction, I apprehend my self,* as his Son, *to be in some Measure, tho' not altogether so strictly, restrained. But of this, perhaps they, who consider him only in the Capacity of a* Statesman, *may think I have spoken too much; yet if I had said less, I should have been wanting in that, which was confessed on all Hands, to have been a great Part of his most true and real Character.*

Such then as it is, I submit the whole to the candid Reader; tho' I must after all acknowledge, that I had not enough considered the Importance and Difficulty of this Undertaking, so as to do it Justice; and the nearer I seem to be towards the Completion of it, the further off, I fear, I am from having done it as I ought. I was at first conscious of many Defects in my self, but am now, tho' too late, made sensible of many more. I now heartily wish Posterity had known his Character by a better and older Pen, and that some Person, from whom it might have been more justly expected, would have been so grateful to his Memory, as to have undertaken it before me. But this I say only from a Sense of the Meanness of this Performance, and my own just Distrust of it. A better Artist, from such Materials, might have raised a much better Superstructure. Yet I have this Hope, that the true Character *of Sir* Leoline, *and the real Excellency and Usefulness of* this Collection, *will sufficiently appear through all the Disadvantages of the unskilful Undertaker. And, as it is a Production only of Leisure Hours, and something foreign to the Profession in which I am more particularly concerned, that it will be read with that favourable Allowance, which has been usually made to such kind of Composures, and is in some Measure due to every Thing well intended.*



THE CONTENTS OF THE First Volume.



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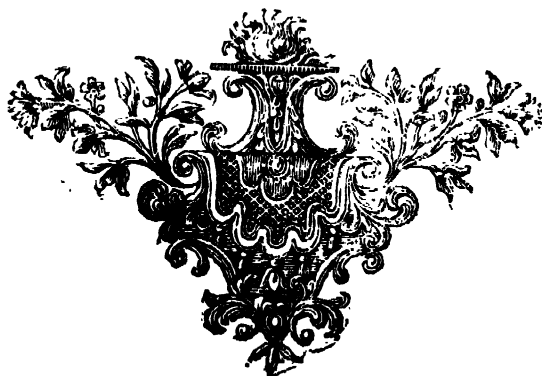


Dr.

Sir

To

To



The NAMES of those who Subscribed to this WORK.

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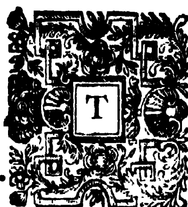
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THE LIFE OF Sir LEOLINE JENKINS.





THE Person whose Life I have here undertaken to write, whether he be consider'd in his private or publick Capacity, may in most Respects, and almost in every Period of Life, be an useful Pattern and Example to Posterity; and therefore I shall relate all that I know of him under both Capacities, and because the one will necessarily serve for the Connexion or Introduction of the other.

He was born in the Year 1625, in the Parish of *Llanblithian*, in the County of *Glamorgan*, and was the Son of *Leoline Jenkins*, or *Jenkins Lluellin*, of the same Place, a Man of about 40*l.* a Year, and who left behind him in that Neighbourhood the Character of a very honest, prudent, and industrious Man. There have been those, who have insinuated a much meaner Extraction, but without any other Reason, than as one of the usual Artifices some Men take, to render a great Man despicable, when nothing more likely can be invented. But his Father really was, as I before described him, a Person, that by his frugal and prudential Method of living, was not only capable of bestowing, but also well understood the Value of that liberal Education, which he bestowed on his Son; and whom Mr. *David Jenkins*, one of the Judges of *North Wales*, and the famous Champion of the Royal Cause, treated, if not as a Relation of his ancient and honourable Family, yet as a Person worthy of his Care; and under that Character very early recommended him to the Protection of Dr. *Wilkins*, at that Time Warden of *Wadham* College, and afterwards Bishop of *Chester*; as appears by a Letter of the said Mr. *David Jenkins* from *Wallingford Castle**, where he was detain'd a Prisoner for his Loyalty in the Year 1651.

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* Vol. II. *pag.* 643.

But in Truth he had ſo much real and intrinſick Merit of his own, and ſtood ſo little in need of ſuch foreign and remote Embelliſhments, that I have not thought it worth the Reader's while, to make a further Enquiry into this Matter. For if the Vertue of the Mind be the only true Nobility, or the moſt reaſonable and genuine Source of Honour, none of his Time was more noble or honourable than himſelf, for there were few greater Inſtances of Vertue. And I mention this the rather, becauſe he ſeems to have been of this Opinion himſelf, from the Choice of his Motto, *Vigiliis & Virtute*; as if he had plainly told us, that he was more beholden to his own Vertue, Merit, and Induſtry, than to the Credit of his Name or Family, to recommend him to the World.

The firſt Eſſays and Foundation of Mr. *Jenkins*'s future Learning, was laid at *Cowbridge* School, very near the Place of his Birth, and even then no inconſiderable School; which, as a grateful Acknowledgment of thoſe early Helps to Piety and Learning he received there, he afterwards liberally endowed with a ſufficient Proviſion for a Maſter, and Penſions for ſome of the Scholars, who diſtinguiſhed themſelves by a more than ordinary Diligence and Application. Here it was that he laid the Foundation of that Knowledge and Accuracy in the *Latin* and *Greek* Tongues, to which he afterwards arrived; and by his great Induſtry and Proficiency in all Parts of Learning which that Place afforded, gave an early Aſſurance to his Friends of thoſe excellent Fruits which he afterward brought forth.

Having ſoon out-run the Diſcipline of a Country School, his Friends were unwilling he ſhould want any Advantages or Improvements proper to his Age, and therefore ſent him to the Univerſity of *Oxford*, where he was admitted into *Jeſus* College in the Year 1641, not quite 16 Years of Age.

Mr. *Jenkins*'s Behaviour, from his firſt Appearance in the College, was ſo regular and exact, that a good Opinion was ſoon taken up of him. Modeſty and Condeſcenſion were deeply rooted in his Nature; and he had ſuch a remarkable ſettled Gravity, and ſerious Deportment, that even in the youthful Part of his Life, he had but little of the Youth in him.

But the Troubles of the Nation ſoon after coming on, Mr. *Jenkins* took Arms for the Royal Cauſe, as many others of the Univerſity then did; and was preſent in actual Service on ſome Expeditions with the reſt of that Place, whom the Circumſtances of the War had drawn together; not that theſe Military Exerciſes did ſo wholly take him up, as to occaſion the utter Neglect or Interruption of his Studies: His natural Abilities, and his own eager Paſſion for Reading, were no ways allay'd, but ſeemed rather to be whetted by the Difficulties and Diſappointments of the Times, and, probably occaſioned a quicker Progreſs than ordinary thro' all the Parts of his Education. Thus were his tender Years ſeaſoned and exerciſed, not only with Learning and Diligence, but alſo with an equal Mixture of Adverſities, the beſt Preparatives for the ſucceeding Varieties of his Life.

For the Society, into which Mr. *Jenkins* had been admitted, was not only obliged to give Way to Strangers, but alſo the College it ſelf was diſmantled, and became Part of a Garriſon by Order from Court; and for ſome time continued to be the Quarters of the Lord *Herbert*, afterwards Marquiſs of *Worceſter*, and of other Perſons of Quality, that came out of *Wales* on the King's Service. The Garriſon of *Oxford* being ſurrendred in the Year 1646, and the Viſitation of the Univerſity by the two Houſes coming on in the following Year, this College, among others, ſoon felt the fatal Effects of it, for of 16 Fellows, and as many Scholars, there remained but one Fellow, and one Scholar, that was not ouſted of their Subſiſtance.

The Principal of this College, Dr. *Manſell*, was as remarkable for his Sufferings, as for his great Learning, his primitive Vertue and Conſtancy, and deſerves a particular Remembrance in this Place; and the rather, becauſe I have lately ſeen an authentick Account of it in Mr. *Jenkins*'s own Hand-

Hand-Writing, at the *Musæum* in *Oxford*; which, as far as I think relates to my present Purpose, I shall pursue very near in his own Words:

He was one of those that was forced very early to quit his Station at *Oxford*, upon the first Approaches of the Enemy; and retreated into *Glamorganshire*, in Company with Dr. *Frewyn*, Archbishop of *York*, and Dr. *Sheldon*, afterwards Archbishop of *Canterbury*, and sojourned several Months there, at the House of Sir *Anthony Mansell* his Brother; where their Presence among the Gentry, had the happy Influence of confirming them in their Duty and Allegiance to the King.

Upon the Visitation of the University in *July* 1647, Dr. *Mansell* returned to his former Station in the College, not without a considerable Risque of being taken in his Journey near *Worcester*, tho' it was in the Rear of the King's Army. And tho' the Earl of *Pembroke*, who was the Chief in that Action, owned him as his near Kinsman, and was the natural Visitor of that College, and tho' the Earl's two younger Sons had been of that Society for several Years under his Care; yet neither the Propensions of the Earl, nor the kind Offices of his Sons, could bring him to the least Evasion, much less the direct Acknowledgment of that Power; but on the first Opportunity he published and declared his Non-Submission, with that excellent Mixture of Modesty and Courage, as made his Visitors ashamed of their Reformation, and openly to bemoan the Difficulty of the Times, that forced them to turn out a Person so unblameable in his Life and Conduct, even to the highest Rigour and Partiality, and so useful to the College; whose only Crime confessedly was his Affection to the King. And which was still more surprizing, while the Reformers were thus busy in turning out him and his Society, Dr. *Mansell* was as active as if no such Thing had happened, in sollicit-ing of new Benefactions to the succeeding Intruders; and such was his Interest and his Relation to many noble Families, and which was more prevailing, his own publick and generous Spirit, that he not only settled a new Bounty from himself, even after he was turned out, but also actually procured a very considerable Addition from others to the Library, as well as to the Revenue of that Infant College.

Dr. *Mansell* being at last totally ejected *May* 21. 1648, and having suffer'd all the other Extremities of Plunder and Sequestration, and his Brother, Sir *Anthony Mansell*, being slain in the Battle of *Worcester*, he withdrew once more with his former Companions into *Wales*, and took up his Residence at *Llantrythyd* in *Glamorganshire*, at the House of his Kinsman, Sir *John Aubrey* Knt. and Baronet; which House was left void by Sequestration, (Sir *John* himself, the Owner of it, being in Prison for his Loyalty) and afforded them the Convenience of a more private Retirement.

And as the County of *Glamorgan* happened to be one of the last that became subject to the Usurped Powers, so it was the Refuge of many Persons of Quality, and of other distressed Royalists, whom the Parliament Army had driven out of their own Homes. And it was prodigious to observe, (says that * Account) how careful and industrious Dr. *Mansell* was, for the Accommodation and Supply of such Persons. Nay, it may be truly averr'd, that there was not a Stranger of Quality, Military or Civil, Clergy or Laity, either in that or in the Neighbouring Counties, who did not either receive a Supply of ready Money, or some other Service at his Hands, or else an affectionate Tender of it.

The Reader will easily pardon this short Digression, if it can be called so, of a Person that deserves to be on all Accounts highly honoured by Posterity. In speaking of the one, I was naturally inclined to enlarge a little upon the other; the Circumstances of whose Lives for some time were so much

* Life of Dr. *Mansell*, MS. in the *Musæum* at *Oxford*.

much interwoven, I could not paſs over one ſo dearly loved and reſpected by the Perſon of whom I write, and who ſeems to have ſet before him Dr. *Manſell*, as a Pattern for his Imitation, as near as might be, in the ſucceeding Parts of Life. But to return now to Mr. *Jenkins*, who, after the ſad Cataſtrophe of the Year 1648, had left the Univerſity, and likewiſe retired to his own Country, with an Intention to paſs his Time in a contented Privacy, in Expectation of better Times; applying himſelf to the Proſecution of his Studies with his wonted Diligence: Yet he could not be ſo private or obſcure, but that his intrinſick Worth began to ſhine out, and every Day almoſt gave ſome Specimens to the Neighbourhood of his Orthodoxy in Religion, and of an innocent and uſeful Converſation. As it is ſome Comfort to every Man under Troubles and Misfortunes to have Fellow-Sufferers; it was much more ſo to him, to behold the Adverſities of Perſons ſo much ſuperiour in Merit and Condition than himſelf, and doubtleſs rendred thoſe of his own Life little and contemptible. For none could have more in Number, or more eminent Fellow-Sufferers, than Mr. *Jenkins* had at that Time; many of the brighteſt Lights and Ornaments of the Church and Univerſity, who choſe rather to preſerve their Conſciences than their Subſiſtences, and of which the Reformers poſſeſſed themſelves without Shame or Remorſe.

Mr. *Jenkins*'s Misfortune indeed was abundantly made up to him, and proved as happy in its Effects as was poſſible, in ſo publick and general Diſaſter. For it happened, that his Place of Reſidence was not far from *Lantrythyd*, ſo that he was ſoon taken notice of by Dr. *Manſell*, his former Principal, who from the Experience he had of his Behaviour in the College, could well judge the dawning of Merit, and his growing Capacity, and not only invited him to paſs his Time with them at Sir *John Aubrey*'s Houſe, but introduced him into the Friendſhip of thoſe eminent Men his Companions: Which indeed proved the Cauſe and Riſe of all his future Preferments, and from whom he received thoſe early and laſting Impreſſions of Duty and Allegiance.

The firſt Employment they found Mr. *Jenkins*, for the Exerciſe of his Vertue and Induſtry, was the Tuition of Sir *John*'s Eldeſt Son. Wherein he gave ſo much Satisfaction, that he was ſoon after recommended, in the like Capacity, to many other young Gentlemen of the beſt Rank and Quality in thoſe Parts; whom, under the Influence and Example of thoſe great Men, he educated in the eſtabliſhed Doctrine of the Church of *England*, and improved in juſt and vertuous Principles, as well as Letters.

Thus Providence, which ties it ſelf to no Rules in preventing of Evil, or in ſhowing of Mercy on whom it will have Mercy, by an unbounded Prerogative often brings Good out of Evil, and Order out of Confuſion: And as formerly the ejecting of the ableſt Divines in Queen *Mary*'s Reign, help'd to propagate the Reformation abroad; ſo the Perſecution of theſe Times ſerved to encreaſe Religion and Literature in the moſt remote and obſcure Corners of the Kingdom, by forcing ſo many able and eminent Men to take upon them the Education of Youth.

In this Neighbourhood, in this Employment, and in a conſtant Correſpondence with theſe learned Men, Mr. *Jenkins* continued for ſome Time, till at laſt the Soldiery quarter'd in thoſe Parts, diſturbed their Retirement, and treated their Perſons with many barbarous Inſolencies, which are particularly related in that Account. * Among others, they carried away the young Man (for ſo Mr. *Jenkins* modeſtly ſtiles himſelf) as their Priſoner, for the better and more effectual diſperſing of his Scholars, which was the Reformation principally aimed at; and he was ſoon after indicted at the Quarter Seſſions for keeping a Seminary of Rebellion and Sedition, and was thereupon forced to leave that Country; becauſe the Indictment (as he ſays) was not

* Life of Dr. *Manſell* in the *Muſeum*.

not to be traversed without first owning the usurped Powers, and then denying that, which, as an honest Man, he ought not to do.

Upon this he was forced to retire, and in *May* 1651, removed with his Charge to *Oxford*, and settled there in a Town-house, belonging to Mr. Alderman *White* in the *High-street*, which from him was then commonly called and known by the Name of the little *Welsh-Hall* (all the Colleges at that Time, especially that of which he had formerly been a Member, as well as their Revenues, being possess'd by Covenanters and Soldiers). But the Irreligion of no Place or Example, how contagious soever to Persons of an ordinary Apprehension, could breed in him a Neglect of the legal and establish'd Doctrines of the Church of *England*. He could not be induced to part with his Intergrity by any unjust Compliances, or in the least betray the Trust reposed in him, but resolved to go boldly on in the Cause of Religion and Loyalty.

Dr. *Mansell* not many Months after followed him to *Oxford*, partly out of a Desire to be near his beloved College, and partly out of a Regard to the young Gentlemen his near Relations already there, under Mr. *Jenkins*'s Tuition. For one of them was Sir *Francis Mansell*, the Heir of his Father's House; Sir *Edward* and *Arthur* his Brother, Sir *Anthony Mansell*'s two Sons; Sir *John Aubrey*'s Son and Heir; *Stepney* and *Vaughan*, two other of his Nephews; Sir *Sackvil Crow*'s Son and Heir; Sir *Robert Moyle* of *Blackwell* in *Kent*; and Mr. *Walter Thomas* of *Swanzey*, and others; where they lived retiredly in that House under Dr. *Mansell*'s Eye, mixing as little as possible with those of the University; and he was the constant Overseer of this little Flock, and solemnly officiated there himself on *Sundays* and Holidays, or else at that Assembly in Dr. *Willis*'s House under the Conduct of Dr. *Fell*. Where (Mr. *Jenkins* says) the Church it self might be said to have retired to that ὑπερῴῳ [or upper Chamber] with such Circumstances of Primitive Devotion and Solemnity, as was hardly to be parallell'd elsewhere during the Storm of that Persecution.

It can hardly be presumed, that any Endeavours of a Person so young and inconsiderable, as Mr. *Jenkins* seems then to have been, could much contribute to the Advancement of the Royal Interest; but certain it is, that he was employed on several Messages and Correspondencies between Mr. *David Jenkins*, Dr. *Sheldon*, Dr. *Mansell*, Dr. *Fell*, &c. and therefore to say no more, it must be allowed to be some Testimony of their great Confidence in him, to be so early intrusted with Secrets of that dangerous Nature, which, if it had been misplaced, might have proved of fatal Consequence to them all; and it will be the less Wonder to find him so firmly attached to his loyal and religious Principles in the succeeding Parts of Life, after he had given such early Experiments of them.

Mr. *Jenkins*'s regular and orthodox Behaviour at *Oxford* was not quite so close and reserved, as to escape all Observation, but he began to give Offence to some of the inquisitive schismatical Members of the University, who publickly talked of him as a dangerous and obnoxious Man; and his new Patron, Dr. *Wilkins*, (to whose Protection he had also been recommended, as I before mentioned) being in Vertue of his Relation to *Cromwell*, about this Time removed to the Mastership of *Trinity-College* in *Cambridge*; he was obliged to retire from thence, with his Pupils as it were in his Arms, and go beyond Sea, for Fear of Imprisonment, or of some worse Disaster.

Even this was no unlucky Accident to Mr. *Jenkins*, but like many others, which at first pass for such, in their Consequences often prove the greatest Advantages, for it helped to add to his former Acquirements the Knowledge of Men as well as Letters; it strengthned and improved his Judgment, by observing the different Constitutions, and the various Policies of foreign Governments. It gave him an Acquaintance with some eminent and learned Men, particularly Messieurs *Spanheim* and *Courtin*, who afterwards met together

gether again in the Service of their refpective Princes; and in fhort, it was the Means of acquring a great Accuracy in the *French* and other Languages, and of laying that Foundation in the Knowledge of the Civil Law, or rather of determining his Thoughts in that particular Study, which qualified him for thofe future Stations and Preferments to which he afterwards attained.

It is Worth the Reader's Note, that of three Years he fpent with his Pupils in *France* or in foreign Parts, he pafs'd little or none of it at the *Englifh* Court then refiding at *Paris*, or in the Pleafures and Diverfions which ufually attend thofe Places; but made it his Bufinefs to point out to them fuch Things as would pleafe their Underftanding, more than gratifie their Senfes.

It appears by a little Diary which I have feen, that he had in this Retreat, made a Tour over a great Part of *France*, *Holland*, and *Germany*; fometimes he refided at their famous Seats of Learning, to fhow his Pupils, as much as he could by fo weak a Reprefentation, the Methods of a Univerfity Life, which they were not permitted to enjoy at Home; but I don't find Mr. *Jenkins* was fo much a Friend to them as to take any Degree there, tho' encouraged more than once at *Leyden*. For whereas foreign Univerfities, he ufed to fay, in conferring Degrees, regarded meerly the Performance of fome Forms of Exercife, and perhaps the Perfon or Recommendation of a Man; thofe of *England*, befides fuch formal Performances, required a certain Refidence and Expence of Time, on a Suppofition, that however fuch Forms may be deceitfully or carelefly paffed thro', yet that one, who lives fome confiderable Time amidft the Advantages and Helps of Knowledge, he thought could fcarce avoid Improvement in fome Art, even by his ordinary Converfation.

After Mr. *Jenkins*'s Return from beyond Sea, he delivered up his Pupils to their refpective Parents and Relations, who were by this Time advanced in Years, as well as Knowledge, and afterwards became ufeful and loyal Members of the Nation. His vertuous and religious Example had produced a fuitable Influence on the well grounded Minds of his Pupils, and he had the Satisfaction to fee, in fo fhort a Time, the Fruits of his Induftry; and, that they did not only anfwer, but almoft exceed the Expectation of their Friends. To prove my Affertions, I muft refer the Reader to one or two Letters in the following Collection;[a] and others might have been added to the fame Purpofe, which would almoft afford an entire Syftem of Education; not that his Notions on this Subject are uncommon or entirely new, but were rather a Compendium of fuch Rules, which he had found by his own Experience to be moft ufeful and proper for the Occafion, or for the Times in which they lived; the Subftance of one or two more is here fubjoined.

What has been obferved upon the old *Roman* Method of Education, feems to have had a chief Place in Mr. *Jenkins*'s Efteem. That the Reafon of the great Progrefs made by young Gentlemen under fuch private Tutors, was the Love and Endearment, which was found to have been between the Mafter and the Scholar. For I find Mr. *Jenkins*'s firft Method was, to gain their Good-will, to create a mutual Confidence, and to convey his Inftructions, without the Severity of a Mafter, and in fuch gentle and agreeable Leffons as would become even an intimate Friend. And this benevolent Temper, I have been inform'd, was remarkable in him to his dying Day; and it is ftill remembred by fome with Pleafure, how often he became the Means, by fome little Hints and Suggeftions, to perfwade a Youth to the Purfuit of his Studies, or to recal him into the Paths of Vertue and Induftry, when a feverer Method had been attempted in vain. Nay, I can truly add, that even after he had quitted the actual Service of a Tutor, he was often applied to by fome of his Pupils, for his Directions in the Profecutions of their Studies, or for the Conduct of their Affairs. Such a mutual Friendfhip and

[a] Vol. II. pag. 643, 4, 6.

and Esteem there was between them, and such a lasting Impression had his Admonitions made on them while they were under his immediate Care.

He was very sensible how much not only the future Prosperity of a Man, but even of the State, depends upon a right Education of Youth, and a skilful Management of the Spring of Life; and altho' there were many other necessary Rules to be observ'd therein, which have very important and lasting Consequences, yet that it was the early instilling of conscientious Principles, and the Seeds of Vertue and Religion, that must knit and consolidate all the rest; and therefore he endeavoured on all Opportunities to set out to them the Excellency of Vertue in its most lively Colours, and the true Delight which flow'd from vertuous Courses; and gave them to understand, that as corrupt and degenerate as the Practice of those Times was, yet that solid Vertue, and true Religion, would one time or other recover its proper Place and Esteem. And this he was continually teaching them, not only by the dead Letter of a Precept, but also by the Example of his own irreproachable Life and Conversation.

He seem'd to have been so little ruffled or discomposed at the Troubles and Difficulties of the Times, that it only gave him an Opportunity, as he often declared, to acquire and exercise many excellent Vertues, which could never have taken Place so well on more ordinary Occasions. He could find nothing in them able to daunt his Courage as a Man, much less as a well-resolved Christian. And he was not only stedfast and uniform in his own Conduct, but by frequent Admonitions strengthned and supported many of his Fellow-Sufferers; and to the utmost of his Abilities administred to their several Necessities. I shall trouble the Reader but with one Letter of this kind, to Mr. *Athanasius Davies* [a], wherein is to be found all that can be said upon so pious and weighty an Argument.

The Troubles of the Nation being not yet over, nor the Government of the University restored to its regular Course and former Vigour, it was not safe for Mr. *Jenkins*, or any other of his loyal or orthodox Principles, to appear in publick; and being now in a manner out of all Imployment, he was invited by Sir *William Whitmore*, another great Patron of the distress'd Cavaliers, to live with him at *Appley* in *Shropshire*; the ingenious Mr. *Rob. Waring*, whom he had for some Years kept in his Family, being then just dead. Where Mr. *Jenkins* continued from the Year 1658, to the Year 1660, under the Cover and Protection of this loyal Gentleman, enjoying the Opportunities of Study, and a well-furnished Library; which he followed with the same indefatigable Diligence and Application, for in this only he observed no Moderation: And in Consideration of this noble and generous Treatment, he afterwards leaves a Legacy in his Will to this Gentleman and his Lady, besides many repeated Acts of Friendship and Acknowledgment in the Course of his Life.

As soon as the King was restored to his Kingdom, and the University to its just Rights, its primitive Order and Constitution, Mr. *Jenkins* returned to *Jesus-College*, about the 35*th* Year of his Age; and his Reputation among his Countrymen was so considerable, that upon his first Appearance and Settlement of the Society, he was chose one of the Fellows; and his Behaviour gained so fast upon them, that he was very soon after, upon the Resignation of Dr. *Mansell*, unanimously chose Principal of the College, and thereupon commenced Doctor of the Civil Law.

And indeed the College had never more Occasion of such a Ruler than at this Time, when the former Discipline of it had been so long interrupted by the late distracted and licentious Times, and had suffer'd so much by the Management of his infamous and corrupt Predecessor Dr. *Michael Roberts*, if we may believe the Articles exhibited against him in the Year 1655, by the Fellows, to the Protector and his Council; tho' both he and they

[a] Vol. II. *pag.* 645.

they were ſome of the godly Miniſtry, appointed by the Parliament of that Time. And if this was not the only College under thoſe unhappy Circumſtances, yet it may not be amiſs juſt to touch upon the Subſtance of thoſe Articles, that it may the better appear what a low Eſtate it was reduced to, both in Point of Revenue, as well as Diſcipline; and from thence one may be able to form ſome Judgment, what the reſt of the Univerſity probably ſuffered from the Fury and Malice of theſe Reformers.

The Articles ſet forth, That Dr. *Michael Roberts*, Principal of *Jeſus College*, had made no Account to the Society for the Space of five Years, and for two Years or upwards he himſelf had executed the Place of Burſir of the ſaid College. That the Accounts laſt tender'd by him, and ſurreptitiouſly regiſtred, upon Examination, did appear falſe and unjuſt in ſeveral Particulars. That he had let Leaſes at under Rates, had detained the Rents and Revenues, and afterwards denied the Receipt of them, and converted them to his own Uſe. That he had deprived the poor Scholars of the Penſions and Exhibitions to them belonging, and had diſpoſed of them at his own Will and Pleaſure; and had diminiſhed the ſtatutable Allowance of the Fellows, in order to augment his own; contrary to the expreſs Will and Directions of their reſpective Founders. That he had made many illegal and unſtatutable Elections into the College, and had been unjuſt, arbitrary, and partial, throughout the whole Courſe of his Government. That he had been negligent in recovering the juſt Dues and Profits of the College, and had ſuffer'd many Leaſes to expire, by ſecret and indirect Practices converting the ſame to his own Uſe; and having illegally gotten the College Seal into his own Cuſtody, had, without any ſufficient Authority or Need, engaged the College in divers Debts, in Truſt for himſelf.

But notwithſtanding theſe Complaints, and their loud Demand for Redreſs, Dr. *Roberts* was continued there as a competent and well-qualified Governour. Such was the ſhatter'd Condition of this College at the Time of the Reſtoration, that it was in no wiſe able to ſupport the moſt juſt and neceſſary Charges of it; and was almoſt beyond Hopes of Recovery, and muſt have felt very fatal Conſequences, had it not received a ſeaſonable Relief by the happy Management of Dr. *Jenkins*. But the Viſitors appointed by his Majeſty's Commiſſion, again reſtored Dr. *Manſell* to his Principalſhip now the third Time, and from which he had been depoſed in the Year 1648, in Favour of the aforeſaid Dr. *Roberts*. Dr. *Manſell's* Infirmities being great, and the Decays of Age, eſpecially of Sight, preſſing hard upon him, he would not be perſwaded to act longer in that Station; and had for the ſame Reaſon juſt before twice refuſed the Dignity of a Biſhop. The beſt, he thought, he could do for the Society was, to give way to a more buſy and active Succeſſor, that would ſtudy the Intereſt of the College with the ſame Concern as he had done: Accordingly having by new Conveyances, ſettled the Remains of his Eſtate, which the Civil War had left him, upon the College, he reſigned his Principalſhip, and recommended to them Dr. *William Baſſet*, Fellow of *All-Souls*, a Man of conſiderable Intereſt in his own County of *Glamorganſhire*; whom he thought would have added to the Reputation of the College by his Government, and to the Revenues of it, in all Probability, by his generous Mind and ample Fortune. But Dr. *Baſſet's* Want of Health not allowing him to accept of ſo great a Burthen, Dr. *Jenkins* was looked upon as the next Perſon among them, capable of retrieving the Credit and Diſcipline of the College, and therefore was, as I before ſaid, at a free Election of the Fellows, *March* 1. 1660. unanimouſly choſen in his ſtead.

In this Capacity Dr. *Jenkins* did abundantly ſatisfie the Hopes conceived of him, and reſolved carefully to apply himſelf to the Diſcharge of his Duty. He made it his firſt Concern to reſtore the Exerciſes, Diſputations, and

and Habits, and to reform all Abuſes, and irregular Practices, which the general Liberty and Licentiouſneſs of the late Times had introduced. Then he ſet about to review and conſider the Body of Statutes, to explain ſuch of them as were not rightly underſtood, to ſupply and enforce others that had been neglected, or diſcontinued; and accommodated them all to the beſt Advantage. At the ſame Time he review'd the Leaſes and Eſtates of the College, ſet aſide ſeveral illegal Debts contracted by Dr. *Roberts*, and recovered many of the Revenues; and ſuch of the Benefactions as had been miſapplied, he re-conducted to their proper and original Uſes, according to the true Intention of their reſpective Founders.

By theſe prudent Methods, he retrieved the Reputation, and advanced the Diſcipline of the College. And it was obſerved, that even thoſe who by Nature, or a former looſe Education, were moſt refractory, and impatient of Order, in reſpect to the inferiour Officers of the College, paid Dr. *Jenkins* a great and real Deference. For the moſt inquiſitive of them could not find any Thing to object againſt him that was immoral in any degree, or miſbecoming the Duty of that Office he was called to over them; but ſo exact in all the Parts and Circumſtances of his own Conduct, that he might be put in Competition with the very beſt of his Time and Function in the Univerſity. There was nothing of Humour, Moroſeneſs, or Prejudice, in the Rules he enjoined them. His Behaviour was juſt, equal, and indifferent to the whole Society, without reſpect of Perſons or Degrees; unleſs it were of ſuch as challenged from him a greater Share in his Eſteem by their ſtrict Regularity, or diſtinguiſhed themſelves by a ſuperiour Merit; which he never fail'd to commend and promote by all proper Methods, wherever he found it. And as it is a certain Truth, that Men will never have any Regard for what any one ſays, if they find him contradict it in his own Practice; ſo he had a ſtronger Influence upon the Manners and Piety of the College, by the gentle Methods of Perſwaſion, by his affectionate Exhortations in private, and by his own powerful Example, than any Cenſures or Severities, or the moſt ſtrict Statutes or Penalties could have. Many of the foregoing Particulars the Reader will find verified, by a ſingle Letter of Dr. *Jenkins* to the Biſhop of St. *Aſaph*, among the following Collection [*], who had, it ſeems, importuned him for his Intereſt, in Behalf of a Nephew, at an enſuing Election of the College. Where he had the Importunity of a worthy Prelate, his intimate Friend, and who, he hoped, would one time or other prove a conſiderable Benefactor to the College, to encounter with; and yet had the Courage and Honeſty to reſiſt the Temptation; which a Man of ordinary Reſolution or Integrity could ſcarce do.

These and many other Things he performed in Behalf of the College, while he was among them; and much more he has ſince by his Will provided for, as ſhall be hereafter related. He continued the Governour and Ornament of that Society till the Year 1673, when he was called away by his Embaſſy at *Cologn*. And the College received this additional Honour from him, that for ſome Time, during the Sickneſs at *London*, it became the Seat of Judicature for the High Court of Admiralty.

Dr. *Jenkins*'s next Preferment was given him by his Friend Sir *W. Whitmore*, who had been ſo well acquainted with his Learning and Abilities during his Retirement at *Appley*, and in that particular Sort of Buſineſs, which he began now openly to profeſs; I mean, the Civil and Canon Law: It was the Commiſſaryſhip of the peculiar and exempt Juriſdiction of the Deanary of *Bridgenorth* in *Shropſhire*. And as he was wont to obſerve, that thoſe in any Profeſſion ſucceed beſt, who neither defer their Reſolution too long, nor begin their Practice too ſoon; ſo Dr. *Jenkins* having laid a

[*] Vol. II. pag. 651.

firm and ſolid Foundation before he openly declared his Profeſſion, Buſineſs and Preferment came faſt upon him.

After this, he was made Regiſter of the Conſiſtory Court belonging to the Collegiate Church of St. *Peter Weſtminſter* [a]; and ſoon after was appointed by his Friend Dr. *Sheldon*, (who was juſt before tranſlated to the Archiepiſcopal See of *Canterbury*) his Commiſſary and Official for that his peculiar Dioceſe; and, if I miſtake not, he was alſo made his Vicar or Official General, as ſome Letters [b] to him from that Archbiſhop ſeem to intimate: However, certain it is, he was about this Time made his Dioceſan Commiſſary, as appears (among other Pieces in this Collection) by a learned Defence drawn up by him in Behalf of the ſaid Juriſdiction [c], to prove it had of common Right the Probate of Wills, and the granting of Adminiſtrations, in Caſes of *Bona Notabilia* within that particular Dioceſe, excluſive of the Provincial Commiſſary.

As Dr. *Jenkins* gained every Day more and more on the Eſteem of his own private and particular College, he did the ſame in the Eſteem of the Univerſity in general, where his Abilities in that Profeſſion began to diſplay themſelves. Here he was appointed Aſſeſſor of the Chancellor's Court; the Proceedings of which are chiefly according to the Practice of the Civil Law, and the Statutes and Uſages of the Univerſity. And I believe that learned Body never had leſs Reaſon to repent of their Choice; for he was their Friend in the ſtricteſt Senſe, lived in a conſtant Correſpondence with them to his laſt Moments, and was upon all Occaſions a vigorous and zealous Defender of their Rights, and performed many eminent and uſeful Services for them. As few underſtood the Juriſdiction with which he was intruſted more perfectly than himſelf, or the true Meaning and juſt Extent of their Privileges; ſo few have had ſuch frequent Opportunities to ſtand up in the Defence of them, as Dr. *Jenkins* at that Time had, when almoſt every one of their ancient legal Privileges was called in Queſtion; as the Reader may find by ſeveral Letters in the following Collection, between him and Dr. *Wallis* [d]. Yet, conſidering all Things, the Univerſity did derive this one advantageous Conſequence from thoſe Diſputes, that their Charters and Privileges were at that Time thoroughly inſpected, and more accurately conſider'd by thoſe able Men, than had been done for ſeveral Years before, and which the late diſorderly Times had almoſt deſtroyed.

In the ſame Year 1662, he was by Dr. *Sweit* made his Deputy Profeſſor of the Civil Law, which, by reaſon of his great Age and Infirmities, and his Attendance on the Court of Arches, (of which he was alſo Dean) he was unable to officiate in his own Perſon. How well qualified Dr. *Jenkins* was for the Function of a publick Profeſſor, ſome of the following Letters will ſhew [e], and what Satisfaction Dr. *Sweit* received from him, upon all Occaſions, in the Diſcharge of that Deputation. The Lectures which he read, were upon that large Title in the Civil Law *de Judiciis & proceſſu Judiciario*. Wherein he treated of the ſeveral Juriſdictions of this Kingdom, that received or allowed any Part of the Civil Law in their Judicial Proceedings; what Cauſes and Matters were properly Tryable in each, the Forms of Proceeding in civil as well as criminal Caſes, and occaſionally ſhew'd the Agreement of the Civil and Common Law of *England*; and laſtly, he therein debated and explained the peculiar Conſtitution, and Manner of Proceeding in the Courts held before the Chancellor or Vice-Chancellor of the Univerſity. And indeed as long as he continued among them, he ſeems to have been a Sort of Oracle in all Queſtions and Matters of Law, as will appear by ſeveral Letters; in one of which is to be found the Method of trying a Scholar for Felony before the Steward; which Privilege, inaſmuch as it was not of late Years been exerciſed, may not be ſo commonly known.

He

[a] Vol. II. *pag.* 653. [b] *pag.* 659, 660, 662. [c] *pag.* 658. [d] *pag.* 654, 5, 6, 7. [e] *pag.* 653.

He was alſo of ſingular Uſe to the Univerſity, in maintaining their Foreign Correſpondences, by his Skill in the *French*, and other Languages; and his own generous and hoſpitable Temper, which drew many Foreign Perſons of Note to viſit him. And when he was called away by his higher and more weighty Employments, ſtill the Intereſt of the Univerſity, and their juſt and legal Privileges, had a great Share in his Concern. He never omitted any Opportunity to do them Service in the Courſe of his Office, and he was as conſtantly applied to by them on all ſuch Occaſions, even to his laſt Moments.

During his Reſidence there, he was alſo very inſtrumental to his Friend and Patron Archbiſhop *Sheldon*, in the Settlement of his Theatre and Printing-Houſe. He not only framed the Draught of that Grant with his own Hand, which I have ſeen with Archbiſhop *Sheldon*'s Strictures on it, but alſo the Statute *de veſperiis & comitiis à B. Virginis Mariæ templo transferendis ad Theatrum*, &c. that the Houſe of God might be kept free for its own proper and pious Uſes. And after that magnificent Deſign was finiſhed, he was, I think, appointed one of the Curators of it. How uſeful Dr. *Jenkins* was to that Reverend Prelate upon many other Occaſions, relating both to Church and State, I need not particularly mention; becauſe having juſt now ſaid, that he was his Diocesan, and ſoon after his Provincial Commiſſary, through whoſe Hands of Courſe paſs'd all his Juriſdiction, it muſt be in a great meaſure ſuppoſed: And if we conſider the known Intimacy and Friendſhip of ſo long a date between them, I think he may, not only in the Language of Law, but alſo be properly ſtyled *Oculus Epiſcopi* [the Eye of that Reverend Prelate]; and as a further Teſtimony of the Eſteem which this Prelate bore to Dr. *Jenkins*, he afterwards left him Truſtee and Overſeer of his laſt Will.

It is hard in many Caſes to aſſign the true Reaſon of the Advancement of private Perſons, or to diſcover the proper Connexion between ſuch diſtant Incidents. Tho' the firſt Stone in the framing of Dr. *Jenkins* future Fortune, might be ſaid to be laid in the College, yet that was too inconſiderable to promiſe any great Superſtructure; and tho' ſomething may be aſcribed to a Man's own Worth, and happy Management, yet the firſt Advantages, or lucky Accidents, are beyond the Compaſs of our own Power; and no Man can ſtate the Acquiſition or Preſervation of what he has, upon any certain Rules. Let him project as accurately, and purſue as diligently, as it is poſſible for human Induſtry to do; or, to ſpeak in the Language of Scripture, *let a Man toil all Night, and groan under the Burthen and Heat of the Day*, yet he cannot promiſe himſelf certain Succeſs; eſpecially in the Courſe of a Profeſſion, which Dr. *Jenkins* often lamented, was ſo little favoured in *England*, where all other Arts and Sciences met with a ſuitable Encouragement.

From this narrow Proſpect therefore we could not entertain any great Hopes, or expect to hear of any conſiderable Incidents in the Relation of his Life. To what then can we impute the Riſe and Advancement of Dr. *Jenkins*? He had himſelf too great and generous an Idea of God, to aſcribe any Thing to his own Strength, or to the Acquiſitions of his own Prudence; and perhaps never was the Practice of Vertue and Religion more eminently conſpicuous in any one, than in him, throughout the whole Courſe of his Life; and I ſhould not be thought to ſtrain my Panegyrick too high, if it were proper to entertain the Reader with all I could ſay to this Purpoſe.

As far then as we can judge of ſecundary Cauſes, Dr. *Jenkins*'s Riſe was owing to the firm and happy Friendſhip contracted with that Reverend Prelate beforementioned, during the Diſtractions of the Nation: Of which he always ſpoke in the higheſt Terms and Accents of Reſpect. A Friendſhip, which continued on both Sides as true and unalterable, as humane Nature perhaps is capable of, till Death put a Period to it; but ſtill has

an Anniverſary Commemoration in the *College*, by the Direction of his Will. That being the only Return (as he ſays therein) for the many valuable Acts of Friendſhip he had received of his Grace; and becauſe he had all his Life-time ſought to give ſome Evidence of his Gratitude, but never had any Opportunity.

THO' the Value of the Employments which he had now attained to was not very conſiderable, yet they were ſo many Means to encreaſe his Reputation, and to render Dr. *Jenkins* ſtill more conſpicuous to the World. His own happy Management and Addreſs, not only added a Luſtre to every one of theſe Functions, but alſo ſhow'd that he was ſtill deſerving of much higher and more exalted Stations than thoſe which he poſſeſſed.

THE Univerſity now began to grow too narrow a Field for ſuch an active Mind, and too ſcanty an Employment for thoſe high and encreaſing Abilities which exerted themſelves in him. He was therefore encouraged by his Friend the Archbiſhop, to remove to *London*, in Order to apply himſelf to the publick Practice of the Civil Law, and was admitted about the latter End of the Year 1663, into the Society of *Doctors-Commons*; and in Order to his Practice in the Court of Arches, had the following Recommendation from the principal Doctors of that Society.

Lator præſentium, Reverendiſſime, Leolinus Jenkins *eſt Collegii Jeſu in Univerſitate Oxon. Principalis, & Legum Doctor, Vir orthodoxâ & ſtabili religione, fidelitate in Regem perſpicuâ, Obedientiâ in Leges Regni continuâ, literaturâ inſigni. Adeo ut dignum (annuente Clementiâ Veſtrâ) in Numerum & Societatem Advocatorum de Arcubus admitti reputamus.*

Giles Sweit. W. Merrick.
W. Turner. Jo. Milles.

FOR tho' his Grace had had a long and perſonal Knowledge of Dr. *Jenkins*'s Qualifications, as I before ſaid: Yet the Society were willing to give their concurrent Teſtimony of them, or elſe the Forms of Admiſſion required ſomething of that Kind.

HERE he was immediately made a Deputy or Aſſiſtant to Dr. *Sweit*, Dean of the Court of Arches, as he had been to him before in the Office of Profeſſor. And the firſt *Dutch* War breaking out, his Majeſty erected a new Kind of Commiſſion, conſiſting of the Lords of the Privy Council, for hearing and determining of all Matters and Queſtions that might happen to ariſe concerning Prizes and Captures. Upon which Dr. *Jenkins*, by Order of the ſaid Lords Commiſſioners, bearing date *Feb. 6. 1664*, was appointed, together with ſome other the moſt eminent Civilians, to review the maritime Laws, and to compile a Body of Rules and Ordinances, by which the Judge of the Admiralty, for the Time being, ſhould proceed in the Adjudication of Prizes. Which was accordingly done, and approved of by his Majeſty in Council, and became the Standard of thoſe Proceedings.

BUT the vaſt Encreaſe of Buſineſs in the Court of Admiralty during this War, and the great Age and Infirmities of Dr. *Exton*, the Judge of that Court, ſoon obliged his Majeſty to look out for a more able and active Perſon: Upon which his Grace of *Canterbury*, in whoſe hearing his Majeſty was pleaſed to expreſs ſome Uneaſineſs and Concern for the Delay of Buſineſs, by Reaſon of Dr. *Exton*'s Inability, immediately recommended Dr. *Jenkins*, with this ample Teſtimony, that from a long Experience and Acquaintance with him, he would anſwer for his Capacity and Reſolution, to do both his Majeſty and the Suitors of the Court impartial Juſtice. Upon this he was made Judge Aſſiſtant to Dr. *Exton*, by Patent bearing date *March* 21. 1664. and he behaved himſelf with ſo much Dexterity, Prudence and Applauſe, that he was not long after, upon the Death of Dr. *Exton*, made ſole Judge of the Admiralty of *England* and *Ireland* in his own Right, and like-

likewise Judge of the Admiralty of the Cinque Ports, as I have Reason to think, from several learned Charges delivered by him there, setting forth the Antiquity, extent, and Jurisdiction of those Courts [a].

As others acquit themselves well, if they can perform the ordinary Business of their Profession, Dr. *Jenkins* not only did so, but also soon after his Appearance in any Court, was called up to sit in the very Seat of Judicature; and tho' he entered upon this Employment in a difficult Time, amidst an infinite Variety of Business, yet he found but little Disadvantage in succeeding a Person of such Ability and Experience as Dr. *Exton* his Predecessor was. And as he had before discharged the Duty and Office of a Judge over those inferiour Courts, so when his Authority was extended over larger Jurisdictions, he still pursued the same laborious Methods, and made it quickly appear that he deserved to preside there.

During the Continuance of this War, Dr. *Jenkins* was obliged to a constant Attendance in this Court, which sat twice every Week, or oftner, as Occasion required, in Vacation as well as in Term Time, for the Dispatch of Ships and Goods brought up as Prizes; and the Encrease of Business was so great, that I find by a Report of his to the Lords Commissioners of Prizes, in less than two Years Time, he had given 436 final Sentences, according to the strict Rules of Proceedings, and the ordinary Course of the Court. Besides which, the Lords Commissioners had from Time to Time a previous Account in Writing, by Way of Report, in most Cases. Sometimes upon his Majesty's particular and occasional Directions, at other times on the Representation of foreign Ministers; that where there appeared but a slight Cause of Suspicion, the Ships might be bailed or discharged, in Order to pursue their Voyages without further Loss of Time; or where the Circumstances of the Case required it, that they should undergo a severer Examination, and be left to the ordinary Course and Methods of Law.

In giving an Account of his Behaviour in this high Employment, I might do it in few Words, by saying, that Dr. *Jenkins* was in all Respects, and in the several Parts of his Office, an able, conscientious, and impartial Judge: But to be more particular, he had most, if not all, the Qualities and Ornaments that are desirable in those who sit in the Seats of Justice. No Man could acquit himself better, and but few so well. If he received any Credit from his Station, his Station received as much from him, and as it were, only reflected back again the Lustre it received from him, in that it was filled by one of his Capacity and Integrity; and considering the many Years Dr. *Jenkins* sat in that Court, he advanced the Honour and Reputation of it to a very high Degree, by the Impartiality of his Justice, by his Exactness and Dispatch.

His learned Decisions rendred his Name famous in most Parts of *Europe*, (there being at this Time almost a general War, and some of all Nations frequently Suitors to this Court) and his Answers or Reports of all Matters referr'd to him, whether from the Lords Commissioners of Prizes, Privy Council, or other great Officers of the Kingdom, were so solid and judicious, as to give universal Satisfaction, and often gain'd the Applause of those who dissented from him; because they show'd not only the Soundness of his Judgment in the particular Matters of his Profession, but a great Compass of Knowledge in the general Affairs of *Europe*, and in the ancient, as well modern Practice of other Nations. Upon any Questions or Disputes arising beyond Sea between his Majesty's Subjects and those of other Princes, they often had Recourse to Dr. *Jenkins* [b]. Even those who presided in the Seats of foreign Judicatures, in some Cases applied to him, to know how the like Point had been ruled in the Admiralty here, and his Sentences were often exemplified and obtained as Presidents there, and he had so much Humanity accompanying his Knowledge, that he never failed doing any one that sought him all the good Offices in his Power.

When

[a] Vol. I. at the End of the Life. [b] Vol. II. pag. 741.

When he was called abroad by those foreign Employments in which he afterwards had the Honour to serve the Crown, tho' his Seats of Judicature were filled by very able Representatives, yet a great Part of the Business followed him, and he was as much importuned and busied by References from hence; and often by his Majesty's and his Royal Highness's special Directions. Such a great Confidence they were pleased to have in his Determinations. As upon the Death of the Duke of *Richmond*[a], his Highness was pleased to consult him about his Title to the Seigneury of *Aubigny*. So upon an Application made to his Royal Highness for the Reversion of the Register's Office of the Court of Admiralty[b], his Highness would do nothing in it, till he received his Opinion of it from *Nimeguen*, which his Highness thought was with that Justice and Impartiality, that he not only refused to pass the intended Grant, but afterwards conferr'd it unask'd, and beyond all Expectation, on the Person barely intimated by him, to have acted well in it as a Deputy.

So upon the Electoral Prince *Palatine*'s Settlement, and many other Cases of the greatest Importance[c], as will appear in the following Collection, which I need not here particularly refer to. For Dr. *Jenkins* was like the celebrated *Juris-consulti* among the *Romans*, (out of whose Resolutions the Body of the *Roman* Law was composed) not only in his great Knowledge of the Law, but also, like them, freely and without Reward, gave his Opinion in all Cases put by the State[d].

So when a Controversy has arisen between his Majesty and his Royal Brother, or between his Majesty and his Subjects, before the Commissioners of Prizes, (as many such there were during the Course of this War, and in Matters of considerable Value) they were usually referr'd to Dr. *Jenkins*[e], as a most indifferent Person, that was not to be byassed by any Consideration, who they were perswaded would do exact Right between them, and give his Judgment according to Law. And in some Cases where he was actually concerned, and had interfer'd as Judge, it was referr'd to him, to report whether his own Sentence ought to be review'd; and how honestly he acquitted himself even in such Cases, the Reader may see by several Instances in this Collection[f].

He had so much Integrity as to withstand the Importunity of the greatest Men, and to whom he often owed the greatest Obligations; and could not be prevailed on to stretch a Law in Complaisance to any one, or to give the least Regard to private Addresses and Recommendations in Matters of Justice. There is a remarkable Instance of this in his Letter to Sir *Joseph Williamson* Clerk of the Council[g]; where the Reader will find, that nothing could induce him to give his Judgment in that Case, contrary to his own Sentiments, or to make bold with his Conscience for Reasons of State; but desired rather to resign his Charge at his Majesty's Feet, if his Opinion was not consistent with his intended Service.

As he was of a tender and compassionate Nature, nothing gave him more Uneasiness than that Part of his Office which he had in the trying of Criminals, upon Commissions of Oyer and Terminer for the Admiralty, which sat very frequently in the Time of the two *Dutch* Wars. Of which Commissions, the Judge of the Admiralty is constantly one, and the Person more immediately or usually concerned in giving the Charge, in summing up the Evidence, and in pronouncing Sentence, in which he behaved himself with that tender Regard to the Prisoner, which became both the Gravity and Justice of a Judge, and the Pity that was due to one of his Fellow Creatures, whose Life, Fortune, or Liberty lay at Stake; that even the Criminal had a Reverence for him, who with so much Justice, Care, and Humanity pronounced Sentence against him. His Applications to the Prisoner were

[a] Vol. II. *pag.* 704. [b] *pag.* 709. [c] *pag.* 673. [d] *Vide his Memorial pag.* 674. [e] *pag.* 702, 741, 765. [f] *pag.* 721, *&c.* [g] *pag.* 701.

were not only free from those bitter Sarcasms, unreasonable Aggravations, or passionate Reproaches, so common in those Days; but were composed, grave, decent, and with a real Reluctance, setting forth the Nature and Circumstances of the Offence; and in Cases where there was Room for Mercy to interpose, he never went to all the Extremity that the Law or Presidents might authorize, and never failed to recommend to the Offenders, the most proper and effectual Method to make Amends, by their future Conduct, for the Crimes of which they stood convicted.

He was so tender and pitiful, that he often generously remitted his just and most legal Fees, and was pleased when he had a decent Opportunity to exercise that Piece of Charity. He gave Encouragement to the meanest Suitors to apply to him in that Respect; nay, he often became a Suitor, where the unalterable Rules of Justice would admit of it, and made it his own Request to Sir *Thomas Allen* [a], and other Admirals, to send the poor Relations of their deceased Seamen, that happen to be concerned in proving of Wills, or taking of Administrations, strait and immediately to him, that he would see Justice done them, and that they should have the full Benefit of the new Act; or to send him those that had Reason to complain of unjust Demands, or unnecessary Delays in any of the Officers of his Court, and he would see them righted to the utmost. For besides the strict Regard he had to Justice and the Laws, he always expressed an unfeigned Tenderness for a poor Seaman; there being no Sort of People, says he, that gain a miserable small Livelihood, with more of Hardship and Danger, than they do; and none that venture their Lives more freely for the Honour and Security of the Crown.

As he was compassionate in his own Person, and in Respect to his own Dues, he was the same in Respect to those of his under-Officers, whom he not only narrowly and constantly watched, that they were not exacting in their Fees, but also would often work in them the same compassionate Temper, and dispose them to abate, or part with some of their Profits, to such poor charitable Objects, tho' they were sufficiently warranted by Law and Usage.

And whoever considers the Nature of this Court, must allow Dr. *Jenkins*, or at least a Person of his Disposition, to have been proper for it; for 'tis a Court where the Suitors are generally very miserable People, shipwrackt or undone Persons [b], poor Prisoners in Goal, some for Debt, others for Crimes, where the Judge and Register are forced not only to forgive their Dues, but to be at the Charge of keeping those that are to answer in Justice, from starving in the mean time. And 'tis a Court where Foreigners almost of all Nations are Suitors; and such a Trust ought to be committed to one that will take effectual Care, that nothing of male-Administration, either through Ignorance or Corruption, be charged upon him. For some Miscarriages in this Court have at last come to publick Sharpness and Resentments between ours and our Neighbouring Nations.

But altho' these Sessions of the Admiralty were very frequent and chargeable to him, as Judge, yet he took more than ordinary Pains and Care in them. He was constantly present at them himself while in *England*, and by his learned and instructive Charges, let the Suitors and Jurors know the full Extent and Nature of those Commissions; and as he had Opportunity, alluded to the Laws and Practice of other Nations, in order to evince the Justice of those Proceedings, from the general and uniform Practice. For he always thought these criminal Sessions, if he rightly understood them [c], were of great Concern and Support to the old *English* Discipline at Sea, and to the Good of Navigation and Commerce.

In the Year 1667, after three Years Service in this Employment, I find the following Memorial presented by him to his Majesty, setting forth:

THAT

[a] Vol. II. *pag.* 700. [b] His Letter to Mr. *Pepys*, *pag.* 703. [c] The same Letter.

THAT his conſtant Attendance in the Admiralty had been ſo chargeable, that the Salary of 300*l. per Ann.* allowed him by his Majeſty, was not a competent Subſiſtence, or equal to the Expences unavoidably incident to that Service, and to the many Difficulties of the Times.

THAT beſides his daily Attendance on that Judicature, the Right Honourable his Majeſty's Commiſſioners of Prizes were pleaſed to command him, to give their Lordſhips, from time to time, an Account, by way of Report in Writing, of the Ships and Charges recommended to them by his Majeſty, or elſe repreſented by Foreign Miniſters, as belonging to the Subjects of ſome of his Majeſty's Allies. And he humbly hoped their Lordſhips, before whom moſt of his Proceedings have paſs'd by way of Review or Appeal, will make known unto his Majeſty, what they may have obſerv'd of his Pains and Diligence; (which were altogether *gratis* to the Claimers and Perſons concerned) as alſo of his Care and Faithfulneſs to his Majeſty, in the Diſcharge and Execution of his ſaid Truſt.

THAT during that his Service, he was not capable of any Practice or Advantages in his Profeſſion, nor of any the leaſt Share in the Fees or Perquiſites of the Court, thoſe being entirely reſerved to his Collegue Dr. *Exton*, in Regard of his Age and Infirmities. Beſides which, his Salary e're long was of Courſe to determine; for that the Funds upon which it ſtood chargeable, would in a ſhort Time be exhauſted, and at an End by the Peace: Whereas the ſaid Court would ſtill require a great Attendance for the Diſpatch of thoſe Controverſies which remained unfiniſh'd.

THAT if his Majeſty would be graciouſly pleaſed, out of his Royal Bounty, to order 200*l. per Ann.* to be paid him out of the Prizes, as an additional Salary to what he had already received for the three Years laſt paſt, that Addition would bear ſome Proportion with thoſe Salaries and Encouragements, which now and in former Times have been met with by others in this Service.

AND ſuch was his Majeſty's Approbation of him, that he immediately ſign'd the following Warrant:

C. R.

WE taking into Our gracious Conſideration, the acceptable Services performed to Us by Dr. *Leoline Jenkins*, Judge of Our High Court of Admiralty, as well by his great Labour and Pains in the ſaid Court, as upon the frequent References to him from Our Selves, Our Privy-Council, and principal Commiſſioners of Prizes; as alſo the little Allowance or Advantage he hath hitherto had in the ſaid Imployment, the Perquiſites of the ſaid Office being entirely reſerved to his Collegue Dr. *Exton*; do think fit to compenſate his ſaid Services with the additional Allowance of 200*l.* more than the 300*l.* which you are already directed to pay him by Our Warrant, for each Year he hath ſerved in the ſaid Office.

AND Our Will and Pleaſure is, that you iſſue out, and pay unto the ſaid Dr. *Leoline Jenkins*, or his Order, at and after the Rate aforeſaid, from the 24*th* of *December* 1664, to the 1*ſt* of *November* 1667, the Sum of 541*l.* 13*s.* 4*d.* accordingly, and that you continue the Payment of this additional Allowance of 200*l. per Ann.* by Quarterly Payments, ſo long as ſhall continue the Payment of the other Allowance or Salary, purſuant to Our ſaid former Warrant. Given at Our Court at *Whitehall*, the 29*th* of *January* 1667-8.

By His Majeſty's Command,
Arlington.

To Our Right Truſty, and Well-beloved Counſellour,
Lord Aſhley, *Our Treaſurer of Prizes.*

IN a Word, his Majeſty was ſo well ſatisfied in his Ability and Integrity for the Diſcharge of this high and important Office, that when the Duke of

York

York (under whose Letters Patents Dr. *Jenkins* at first held it) had surrendred his Office of Lord High Admiral, in consequence whereof his Commission was at an End, his Majesty would hear of no body else to supply it; and, which was more remarkable, no one else of the Profession would make Application for it; and a new Commission was made out for him, tho' he was beyond Sea, by the King's own particular Directions, as may be seen in his Letter[a] to the Lords of the Admiralty. And whoever reflects on the excellent Judgment of that Prince, may be apt to believe that Dr. *Jenkins* deserved his Favour.

One would think the Business of the Court of Admiralty, especially at this Time, was a Field large enough for any Genius, and sufficient to engross his whole Study and Application; yet his Knowledge was no less eminent in the Canon Law, and the Constitutions of the Church. So that upon the Death of Dr *Merrick*, Judge of the Prerogative Court of *Canterbury*, in the Year 1668, the King himself was pleased to recommend Dr. *Jenkins* to the Archbishop for his Successor; saying, that as he had accepted his (the Archbishop's) Recommendation for the Court of Admiralty, he expected that the Archbishop should take his Nomination to the Prerogative Court: But the Archbishop, with his usual Gallantry, told his Majesty, he was sorry he had prevented his gracious Intention, yet would not despair of his Pardon, since he had before conferr'd it upon the very same Person his Majesty had thought most worthy of it.

He was now advanced to the two highest and most considerable Stations in his Profession, and with as little Envy from others as any before him; and continued many Years a great Ornament to both, his Conduct from the first to the last Day of his sitting in those Courts, being uniform and worthy of him.

How well Dr. *Jenkins* acquitted himself in this last Station, to the Satisfaction of that judicious Prelate, various Instances might be given; as not only in the framing of many good Rules and Orders, for the preventing of Delays, and other undue or vexatious Practices in the Ecclesiastical Courts, but also by a constant and firm Adherence to them, without which the best Rules would have been insignificant. And indeed all those excellent Rules and Resolutions which he seemed to have laid down to himself, in relation to his other Jurisdictions, were as remarkably remembred and applied by him to this Court, as Occasion required; and from which he seldom or ever departed, but in Cases of greater Equity.

He made it his constant Endeavour to prevent all immethodical and frivolous Pleadings, all clamorous and indecent Practice, and to check the tedious Sallies and Excursions of the Counsel, but in the most mild and gentle Manner, and always in Terms of exact Respect, unless where the Matter justly deserved a more severe Remark, as in the following Instance: Sir *W. Walker*, one of the Advocates, having given indecent Language to Dr. *Milles* in Court, and to Dr. *Jenkins* himself for reprimanding of him; by saying, among other Things, 'That he would speak what he pleased, and 'did not value the Judge, because he was afraid, and durst not restrain the 'Liberty he took.' Upon which Dr. *Jenkins* spoke to the Register *in Actis & præsentiâ Curiæ*, 'That as he never was beholden to Sir *W. Walker*, so 'he had no Reason to be afraid of displeasing him. That he had never 'done any Thing to become obnoxious to him, or to any one else, nor 'stood in need of any Act of Oblivion or Indemnity, to bring him to the 'Honour of that Society. He had a Regard, it was true, for the Character and Relation he bore to his Royal Highness, and should ever be 'cautious how he shew'd Sir *W. Walker*, or any other Gentleman, the least 'Disrespect, while they behaved themselves as they ought. But he was 'not afraid now to enter a Monition among the Acts of Court, whereby

[a] Vol. II. pag. 703.

'he required Sir *W. Walker* to conform himself in his Language and Behaviour, to the Respect and *Decorum* which the Constitutions of the Court, and common Civility required, *sub pœnâ juris & contemptûs.* This Monition being enter'd, if Sir *William* takes any more such Liberties, or runs again into the like Excesses, I shall not endure them; but speak to his Royal Highness, that I may by Suspension, or otherwise, vindicate the Reverence due to the Court; and he shall see I will not be afraid to put in Execution what I think for the Honour of the Court.'

This Instance shews, that Dr. *Jenkins* did not want Spirit and Resolution to exert himself on a proper Occasion; tho' I believe it was the only one of that Sort that ever happened to him. For as he was wont to carry himself equally and indifferently to the whole Society, and with Patience hear what the meanest Person had to offer; so that Society had a just and honourable Esteem of his Merits and Abilities, to preside over them in both Courts, and always treated him with a due Regard.

His Sentences were esteemed so just and equitable, that all Parties, more than could be expected, were satisfied with them; and there were but few, considering the Number of Causes, or the Length of Time he sat in both Courts, appealed from; and of those, hardly any reversed. For his Opinion, whether in the Civil, Canon, or Laws of Nations, generally passed as an uncontroulable Authority, being always thoroughly consider'd, and judiciously founded. And when his Decrees have been at any Time attacked, I do not mean by Appeal, which is the Right of every one, in every Cause almost if he thinks fit, but in a clamorous irregular Manner, before the Committee of Grievances, he used to acquit himself with Applause; and the Complainants only obtained the Characters of contentious and vexatious Persons. Some such Instances there are among the following Collection[a], when he was out of *England*, and consequently under the greater Disadvantage: Nay, one would think, utterly incapable to make a proper Defence, which was to depend upon a Recollection of the Acts of Court, and upon a Variety of Proofs and Arguments, urged on the one Side as well as on the other; yet in these also he succeeded as well as in the former.

I have been the larger in this Part of his Character, to shew the general good Opinion and Esteem he had thus early acquired, and that he did not stand in need of any of those pitiful Excuses, or pretended Apologies[b] from his Collegue, in the Affairs of his Embassy; and I doubt not but this Observation will be more fully verified, by his Conduct in some others of the succeeding Incidents. And as his Credit and Reputation was thus established upon a Fund of real and substantial Merit, it was not subject to the ordinary Rules of Diminution or Alteration. And tho' he may be said to have lived, as it were, but in one Reign, and under a wise and judicious Prince, yet it must be allowed to have been a Reign of great Variety, attended with a great Mixture of Councils, and a strange Vicissitude of good and bad Incidents throughout the greatest Part of it: Yet his Majesty's Favour shined upon him to the Day of his Death without Interruption.

In *August* 1669, died the Queen Mother in *France*, which gave another Occasion to Dr. *Jenkins* to exert his Abilities, upon a Dispute that was likely to arise about the Succession to her real and personal Estate. His Majesty had commanded Dr. *Jenkins* to give his Opinion of the Matter, which the Reader may find in his own Letter to my Lord *Arlington*[c]; and upon the Perusal of it in Council, he was afterwards order'd to prepare a Commission for himself to go to *France*, together with Mr. *Montague*, at that Time Ambassador in *France*, the Earl of St. *Albans*, and the Lord *Arundel*, Officers of the said Queen's Houshold.

The

[a] Vol. I. *pag.* 710, *&c.* [b] *Temple*'s Memoirs in 8^vo^. *pag.* 272, 280, 284. [c] Vol. II. *pag.* 663.

The chief Business of this Commission was, to demand and recover the Queen Mother's Effects, to pay the Arrears of her Servants and Officers, according to their Establishment, and to provide for the necessary Expences and Ceremonies of her Interment.

Dr. *Jenkins* was scarce arrived at *Paris*, and the Commission opened, but a Memorial was given into them of *Monsieur* and *Madame Royale's* Pretensions, to which Dr. *Jenkins* was directed by the rest of the Commissioners, to draw up an Answer, both which are inserted among the following Collection [a]; and tho' they are Pieces of curious Learning, have never yet, ar far as I can inform my self, appeared in Print, or been so much as taken Notice of in History.

The Ground of the Controversy was thus: *Henrietta Maria*, Wife of King *Charles* I. the late Queen Mother, was youngest Daughter of *Henry* IV. King of *France*, and Sister to *Lewis* XIII. and had resided at *Columbe* in *France* ever since her Departure from *England* in *July* 1644. being entertained there at the Charge of the *French* King *Lewis* XIV. her Nephew. Upon the Restoration she came to *London*, and after a short Residence here, returned again into *France*, to bestow her Daughter, the Lady *Henrietta*, in Marriage to the Duke of *Anjou*; and I think after that, returned once more into *England*; but being under an ill State of Health, did not stay long here, and soon after her Return into *France* died. Upon these Circumstances it was pretended, that the said Queen Mother was not only a *Natif*, but an Inhabitant of *France*; consequently that whatsoever Estate she was possess'd of there, ought to be Subject to the Laws and Usages of that Country: And that *Madame Royale* of *France*, the aforesaid Dutchess of *Anjou*, was by those Laws, the only Person capable of succeeding: His Majesty and the Duke of *York*, as well as the Princess of *Orange*, her other Children, being expresly excluded and disabled by the *Droit d'Aubaine*, because they were not born, nor were Inhabitants within the Allegiance of the *French* King.

But at last his Majesty's Claim prevailed, and the Queen Mother's Effects were disposed of according to his Directions.

The remaining Business of that Commission, was the Interment of the Queen, which as I have seen in a Journal of that Commission, was after this Manner. *Nov.* 19. A solemn Service was performed at the Nunnery of *Chaliot*, at which *Monsieur* and *Madame Royale* assisted in Person, attended with the principal Officers and Domesticks of her late Majesty, and several Persons of Quality, both *English* and *French*, her Lord Almoner officiating, and M. *L'Abbe de Bossuet* pronouncing a funeral Oration. On the 20*th* following, the Ceremony of Interment was performed at St. *Dennis*; and on the 25*th* of the same Month, another Service was performed at *Nôtre Dame*, where the Archbishop of *Paris* officiated, and Father *Senault*, General of the Oratorians, delivered another Funeral Oration, setting forth the eminent Virtues and Qualities of the deceased Princess.

In the following Collection, there is a curious Letter, written by Dr. *Jenkins* to the Lord *Arlington* [b], giving an Account of a Conversation between him and Father *Senault*, by Reason of some Reflexions he had thrown on the Memory of King *Charles* I. in his said Funeral Oration. For the Father, it seems, enquiring into the Causes which might provoke the Divine Providence to afflict a Prince of his excellent moral Endowments so sorely, after all his Disquisitions could assign no other, than that of his Infidelity; for so that Father was pleased to call the brightest of that Prince's Merits, the Soundness of his Religion: Which continued unalterable to his last Moments, tho' he had for so many Years carried *France* in his Bosom, and was the first unhappy Instance, as he said, of any Protestant Subjects taking up Arms against a Protestant King; yet no Consideration could divorce, nor stagger his Affections from the Principles of his Religion: And

 Dr.

[a] Vol. II. *pag.* 665, 667. [b] *pag.* 670.

Dr. *Jenkins*'s Resentment upon this Occasion against the Father was so great, that he would not let him rest, till he had convinced him of his Mistake, and had his Promise to expunge the Passage whenever his said Oration should appear in Print.

THE Business of this Commission being at an End, Dr. *Jenkins* returned Home, and received the Honour of Knighthood from his Majesty, and a most gracious Approbation of his Services.

IMMEDIATELY after, Dr. *Jenkins*, whom I shall hereafter call Sir *Leoline Jenkins*, had a fresh Opportunity to signalize his Merits. For the King having upon several Occasions express'd his Desire of a strict Union of the two Kingdoms of *England* and *Scotland*, in Prosecution of the Attempt made by his Royal Grandfather, moved both his Parliaments, to authorize Commissioners for a Treaty: Accordingly in the Session of Parliament for the Year 1669. an Act passed for that Purpose; and soon after a Commission under the Great-Seal of *England*: Of which, Sir *Leoline* received the following Notice from the Lord Keeper.

SIR,

I Am commanded to acquaint you, That his Majesty, in Consideration of your great Abilities and Experience, hath nominated you by Commission under the Great-Seal to be one of the Commissioners of the Realm of *England*, to treat with those authorized from *Scotland*, touching an Union between both Kingdoms; and that the Commissioners are to meet at *Westminster* on the 14*th* Day of this Instant *September*. I doubt not, but that you will be pleased to give your Attendance accordingly at that Time and Place for this Service; which his Majesty looks upon as of the greatest Importance, for the Good and Welfare of both Nations.

Your very faithful Servant,

Orl. Bridgeman, *C. S.*

UPON the meeting of this Commission, Sir *Leoline Jenkins*, together with the Earl of *Anglesey*, and Sir *William Jones* the Attorney General, were appointed to be the Committee on the Part of *England*, that were to prepare and consider separately, of the several Articles and Matters to be proposed in their general Meetings, as the Subject of Debate; but I need mention no more of this projected Union, but refer the Reader to Sir *Leoline*'s own Letter upon it to his Royal Highness *, wherein is contained almost all that can be said on the one Side, as well as on the other, upon that difficult and intricate Subject; tho' it may be observed in general, that the many Conferences and Debates on that Occasion, were not so very insignificant, but the Project might then have taken Effect, and in many Circumstances more honourably in Respect to both Kingdoms, but for some Niceties of the *Scotch* Commissioners in the smaller Terms of Accommodation.

IN the Year 1671. Sir *Leoline* was chose Member for *Hyth*, one of the Cinque Ports, in the long Parliament that was to meet at *Westminster* by Prorogation the 16*th* of *April* following, tho' I find nothing of him considerable under that Capacity; but as Judge of the Admiralty, he had his Hands full. For the Peace that had been concluded with *Holland* in the Year 1667. was not like to be of any long Continuance. The first Appearance of War, was by our intercepting and falling upon their *Smyrna* Fleet, and afterwards by a formal Declaration of War.

WHAT the true Motives or Occasion of this Rupture was, more properly appertains to general History, but the invading the Right of the Flag was one, if not the principal Reason that was publickly given; and in what a slighting Manner this ancient Prerogative of the Crown, as well as that of

* Vol. II. pag. 675.

of the Fishery, were afterwards really treated at *Cologn* by the *Dutch*, the Reader may see at large by the ensuing Collection of Letters from that Embassy.

There are those, who have justified the Manner and Circumstances of this Quarrel. Inasmuch as the Right of the Flag (say they) is the ancient and undoubted Prerogative of the Crown of *England*; the Denial of it by the *Dutch* Fleet, was in Effect the declaring of War against us; and therefore we needed not to declare it on our Side. That if one Party do rescind a League or Treaty (which is an individual Act, and the Violation of one Article doth annul the Obligation of the whole) then is the other *ipso facto* in a Condition of War, and omitting all Formalities, may immediately proceed to carve out his own Satisfaction by an advanced War.

These, and the like Arguments, have been made use of by some to justifie this Encounter; which by others is represented as so very dishonourable, and more arbitrary, than the Law of Nations or common Justice did allow. How far in Strictness it might be justified, is not my Intention to enquire; but I thought it necessary to premise thus much of the Causes of the War, in Order to open the Nature and Business of the ensuing Negotiation of Peace, which makes so great a Part of this Collection. Tho' it may be supposed Sir *Leoline Jenkins*, from what has been already said of him, was consulted on this important Occasion, as in Fact he was, and gave his Opinion positively against this Action with an honest Freedom; He could not be prevailed on, by the Humour and Inclination of the Court[a], to give a wrong Judgment, or to say, because they would have him, that the seeming Necessity of State was a competent Apology for such an Action.

And when he found the fatal Blow was given, and a Commission directed to him as Judge of the Admirality by the Duke of *York*, to proceed to the Adjudication of Prizes taken from the *Dutch* in that Encounter, the Part he acted was with all the Regret and Tenderness that could be, as if he considered only the Offence with an Eye of Severity, but not the Offenders. 'Praying his Royal Highness still to continue all Humanities to the Persons of the *Dutch*, without putting them to Hardships or Ransom; that he would forbid Hostilities, Confiscation, Imbezzlement, or ill Treatment of all that should demean themselves respectfully, and not refuse to be brought up. He desired his Highness to consider, besides the fatal Consequences such a President might one Day or other produce to our selves, that the most just War was the last Necessity of good Men, and that Mercy and Forbearance were worth a thousand Victories. And therefore hop'd his Majesty and his Royal Highness would be pleas'd to put their Ships only in *deposito*, till Justice were done them, or a more satisfactory Answer given by the *Dutch* Ambassador; but if the Detainment of their Ships would not do, and such mild Instances and Applications proved ineffectual, then to make War in earnest, in Order to awaken them into a Sense of their late Treaties, and to put them in Mind of the Honour and Respect due to his Majesty."

But the second *Dutch* War begun in earnest, and in the Month of *May* happened the Sea-Fight at *Sould Bay*; wherein, by the publick Account given of it, the *English* obtained the Victory. Our Allies, the *French*, in the mean Time were more rapid in their Conquests by Land, and carried all before them, having an Army of the best Troops that for many Years had been seen together, commanded by the *French* King in Person, and two of the greatest Generals of the Age, the Prince of *Conde*, and Mareschal *Turenne*. But the Nation was soon weary of the War, and the Parliament apprehensive of the Power and Intrigues of *France*, and several Encounters having passed at Sea without any decisive Action, both Parties began to entertain Thoughts of Peace.

Upon

[a] Vol. II. pag. 701.

Upon this a Treaty was proposed at *Cologn*, under the Mediation of *Sweden*, between the Emperor, *Spain*, and *Holland*, and some Princes of the Empire on the one Part, and *England* and *France* on the other. And in *May* 1673. Sir *Leoline Jenkins* was appointed Ambassador and Plenipotentiary for this Treaty, together with the Lord *Sunderland*, and Sir *Joseph Williamson*. Accordingly Sir *Leoline* and Sir *Joseph Williamson* set out for the Place of Treaty, and arrived there the 13*th* of *June* following. The Lord *Sunderland* never acting in that Commission.

What their Instructions were for this Negotiation, may be seen at large in the following Collection[a].

But the Number and Variety of Pretensions were grown so great by so many Powers of *Europe*, that were by this Time drawn into the War, that there was not much Hopes or Appearance of a General Peace. As the Designs of some were to keep the Body of Confederates united in the Treaty as well as in the War: So the Endeavours of others were to break that Union here, which they could not in the Field; and to find out some Ways of entring into separate Measures of Peace. Most of the Confederates desired a Peace between *England* and *Holland*, but not with *France*. And the States, who were encouraged by a secret Correspondence from hence, took this Advantage of his Majesty's Necessities, and the Humour of the Parliament, to draw him into a separate Treaty; and accordingly just before the Session, they made formal Overtures of Peace by the Hands of the *Spanish* Ambassador. Which his Majesty imparted to both Houses, and were accepted and signed at *Westminster*, by his Majesty's Commissioners, and the said Ambassador of *Spain*, on the Part of the States General.

The Point of greatest Difficulty was that of the Flag, which was carried to all the Height it was demanded, or his Majesty could wish. The Matter of Trade in the *Indies*, &c. being too intricate to be then settled, when there was such an immediate Call for Peace, was agreed to be left to a subsequent Treaty; in which Sir *Leoline* likewise had his Share, being appointed by another Commission, to treat with the *Dutch* Ambassadors upon the Reglement of that Trade.

Thus (says Sir *W. Temple*[b]) the Claim of the Crown of *England*, to the Acknowledgment of its Dominion in the narrow Seas, was allowed by Treaty from the most powerful of our Neighbours at Sea; which had never yet been yielded to, that he remembred, by the weakest of them, in the whole Course of our Pretence, and had served hitherto, but for an Occasion of Quarrel, whenever we or they had a Mind to it upon other Reasons.

Whereas this Right (with Submission to that learned Author) was not only inherent in the Crown of *England*, paramount to all Treaties, but also 'tis notorious, that the States had yielded this Point fully to *Cromwell*, and that it had been solemnly acknowledged by the Treaty of *Breda*, in the Year 1667. and which is still a greater Argument of the Soveraignty of the Seas, had so lately as the Year 1636, actually paid 30,000 Pounds for a Liberty to fish on the Coasts that one Year, and were then willing to pay a yearly Tribute for the King's Permission to fish for the the Time to come.

Now as on the one Hand, the Right of the Flag was the ancient Prerogative of the Crown, and no Punctilio the King had more at Heart, or the Nation more universally jealous of at that Time: So on the other Hand, there was nothing the *Dutch* were ever more inflexible to, than to yield this Point of Honour to us, when they thought themselves in a fit Condition to dispute it, or the Conjuncture of the Times to favour their Attempt. For these Reasons, no Man perhaps had better considered the Strength and Fulness of the Proofs to warrant this Right, than Sir *Leoline Jenkins*. He had often urged Sir *Thomas Allen*[c], and the rest of the Admirals of his Time, to make an Enquiry of the ancient Seamen, what they knew

[a] *Post pag.* 3. [b] *Temple's* Memoirs, 8vo *pag.* 10. [c] Vol. II. *pag.* 699.

knew or remember'd about it, that Posterity might not want all the Lights that could be given them in his Time, and that some Course might be taken to transmit it to after-Ages.

AND I cannot without the greatest Injury to Sir *Leoline*'s Memory, omit two notable Passages that happened to himself, wherein he had an Opportunity to vindicate and assert in his own Person this Prerogative of the Crown.

THE first was on the 17*th* of *May* 1674, in his Return from *Cologn*, in the very *Brill*, where he made three *Dutch* Men of War, with four *Dutch* Ambassadors on Board, strike their Sail to his single Yacht; Sir *Joseph Williamson*, the other Plenipotentiary, being then gone on Shoar, to his great Mortification when he heard of it. I mention this the rather, because there is no Account, that I remember, in Print, of this Passage in Vindication of the Flag. And considering the Behaviour of that Minister to Sir *Leoline* in some other Respects, there may probably be no Memorial of it in the Paper-Office, (of which Sir *Joseph* was the Keeper) since Sir *Leoline* was the only Ambassador on board, and he could not write, but only report the Passage *ore tenus:* But his own modest Account of it, is to be found at large among the following Collection [a].

THE other was in the Year 1675, in the very same Place where the former Encounter had happened; as may be seen in his first Letter from the Embassy at *Nimeguen* [b]: Wherein he forced the same Respect from two other Men of War belonging to the States General. So that it is to be hoped, this Point upon that Coast will never admit of any other Dispute.

FROM the two foregoing Passages it does abundantly appear, that Sir *Leoline Jenkins* was not of that timorous irresolute Temper, so distrustful of his own Judgment, or in such usual Agonies upon any unexpected Incident, as he is sometimes represented to be by Sir *W. Temple* [c]; but that he behaved himself with as much Resolution on the one Hand, as was necessary to assert the just Rights of the Crown; and with as much Caution on the other, as could be on such an Occasion, not to draw the Nation into a fresh Embarrass, to the Hazard of a Peace so lately made; and when the *Dutch* were confessedly watching all Opportunities to repair themselves against him [d], for the Advantage he had gained over them in these two Encounters.

THE Peace between *England* and *Holland* being thus concluded, there was little more to be expected from our Ambassadors at the Congress at *Cologn*, unless it was to assist in the keeping up the Form of a Treaty, in order to give the rest of the Parties in War an Opportunity to make their Peaces. But at last the Assembly quite broke up, upon the Emperor's seizing the Person of Prince *William* of *Furstemburgh*, as Agent of the Elector of *Cologn*, and a Partisan of *France*, after he had appeared nine Months under a publick Character, upon the Pretence of his being a Subject of the Empire; and not many Days after, in a like hostile manner, seizing 4000 Crowns from out of the *French* Ambassadors Carriages, within a District which was agreed and declared by all Parties, before the Congress, should become neutral. So that there was no Hopes or Appearance of Peace on the Side of *France*, till Satisfaction was made them in those two Points; and the Emperor resolved to hear nothing of them till the Conclusion of a Peace.

THE Manner of this Prince's *Enlevement*, has been the Subject of many curious Manifesto's on both Sides, which being already in Print in their respective Languages, shall have no Place in this Collection. But it cannot be unacceptable to the Reader, to have a particular Account of that Assassination from our own Ambassadors, who were the most early and generous in their Resentments of it; and, as far as I can inform my self, is not published

[a] Vol. II. *pag.* 697. [b] *Post pag.* 353. [c] Memoirs, *pag.* 280, 379. [d] *Post pag.* 385.

liſh'd with all its Circumſtances by any *Engliſh* Writer. It is one of the greateſt Inſtances of the Violation of the Laws of Nations, and the Surety of the Perſons of Publick Miniſters, that perhaps can be produced in Hiſtory. In the Letters from that Embaſſy [a] is to be found the whole Series of that remarkable Incident, and the Pretences given out to juſtifie and authenticate that Action; and the Character of that Prince, who made ſo conſiderable a Figure in that Aſſembly, and whoſe Misfortune it was, notwithſtanding the repeated Inſtances of almoſt all the Princes of *Europe*, to remain a cloſe Priſoner till *May* 1679, when the particular Treaty between the *Imperialiſts* and *French* began.

BUT no Temperament or Expedient of the *Swediſh* Mediators prevailing to keep up this Congreſs, and all the other Ambaſſadors being either gone, or juſt upon their Departure, Sir *Leoline* and his Collegue received his Majeſty's Orders to return Home; and in *May* following 1674, arrived in *London*. And Sir *Joſeph Williamſon* was ſoon after made Principal Secretary of State, Sir *Leoline* being reſerved, as the moſt proper for his Majeſty's Service in the ſucceeding Embaſſy and Mediation for the General Peace; which was in the following Year 1675, and the next Thing in order of Time to be ſpoken of. The reſt in this Commiſſion were the Lord *Berkley*, at that Time Ambaſſador at *Paris*; and Sir *W. Temple*, Reſident at the *Hague*.

Nimeguen, after ſome Difficulties, was agreed to be the Place of the Congreſs; accordingly Sir *Leoline* ſet out, in all the Extremities of a hard Winter, and arrived there the *6th* of *January*, that he might influence and diſpoſe the reſt of the Parties, by his Example, to make Haſt thither.

AMONG the many extraordinary Incidents handed down to us by the laſt Century, the Congreſs of *Nimeguen* is not one of the leaſt; whether we conſider it for the great Number of Ambaſſadors and Publick Miniſters, and other illuſtrious Perſons that made up the Aſſembly; or whether we conſider the Weight and Importance of that Negotiation, which was no leſs than to reſtore Peace and Repoſe, by the Means of his Majeſty's Mediation, to all the Princes of *Chriſtendom*.

AND tho' the Negotiations of this Treaty have already been the Subject of ſome able Pens, yet inaſmuch as they took up ſo great a Part of Sir *Leoline*'s Time, and make no inconſiderable Circumſtance in his Character, I cannot wholly paſs it over in this Relation, without rendering of it much more imperfect than it is. But I ſhall not enter into a particular Detail of all the Incidents in the Courſe of this Treaty, upon Punctilio's or Ceremonials, which indeed take up too great a Share and Expence of Time in every Treaty, and muſt neceſſarily be underſtood to have made a great Part of the Buſineſs of this Place, where ſo many illuſtrious Perſons were met together under a Parity of Power. I ſay, I need not here enter in ſuch Matters, which are ſo fully contained in the enſuing Collection of Letters from that Embaſſy; and 'tis poſſible that there may be ſome remarkable Paſſages in them, not touched on by any former Writer. For it muſt be agreed, Sir *Leoline Jenkins* was not only the firſt of our Ambaſſadors upon the Place by ſeveral Months, but was reſident there throughout the whole Courſe of that tedious and laborious Treaty, which cannot be ſaid of any other Perſon in that Commiſſion.

As fruitleſs then as the Negotiation at *Cologn* at firſt appeared to be, by its untimely Interruption, yet it ſerved as a Preliminary Treaty, and gave Occaſion to this which ſucceeded; wherein the Crown of *England* made one of its greateſt Figures; and his Majeſty might, if he had pleaſed, have been the ſole Arbiter and Judge of the Intereſt of *Chriſtendom*. For notwithſtanding our ſeparate Peace with *Holland*, and that there was no Satiſfaction given in Relation to the Seizure of Prince *William*, yet his Majeſty's Mediation

[a] Begins in this Vol. *pag.* 187, &c.

diation was courted by all Parties; and the general Opinion was, that no Prince in *Europe* could be so instrumental towards a General Peace, as his Majesty, by the great Influence, it was believed, his Interposition with the Prince of *Orange*, and his Credit and Authority with the *French* King, must needs have. That it was in his Power to incline the one to give a reasonable Peace, and to dispose the others to receive it. And this it was that gave Encouragement to the Mediation at *Nimeguen*.

But in Truth, tho' many of the Parties were weary of the Oppressions and Miseries incident to War, and cried out earnestly for Peace, yet others were willing to try the Event of War some Time longer; and seem'd to be of Opinion, that it was the War alone that must determine the Terms and Conditions of the Peace. *France* was not willing to have the whole Matter made up by a speedy and general Accommodation, but rather, as a Point of Honour, tho' single, (as it was then in a manner like to be) try the Fortune of another Campaign, than presently come to a Peace; which would look as if they had been aw'd into it; and valued themselves as much as ever upon their usual Vigour, the Experience of their Commanders, and the Advantage they had in being under one Head, and consequently in having as it were but one Heart. The *Dutch* and their Confederates, on the other Hand, were so flush'd with the Peace between *England* and *Holland*, and an Expectation that the Parliament would incline the King to engage with them in the War, that they talked of nothing but humbling *France*, and of setting a Barrier to the swelling Ambition and dangerous Greatness of that King. And therefore tho' Sir *Leoline* and many other Ambassadors were upon the Spot, yet there were not many real or actual Paces made towards a Peace on either Side, and his Majesty's Mediation was at present a Matter of more Form than Use.

The Successes of the Campaign this Year [1676], that were expected to govern the Motions of the Treaty, were not so decisive as was expected, any more than in the preceding Year; that is, they were various as to the Gross of the War, but in both seem'd to run most to the Advantage of the *French*, who had at the End of each Year considerably enlarged their Borders, and were carrying the Frontier of their Dominions into the Bowels of the Empire.

But the Campaign being ended, most of the Parties began to turn their Thoughts towards Peace, more earnestly than they had hitherto done; and to think it not only their Interest, but absolutely necessary for them. *France* seemed as willing as any to have the War ended, provided they could secure what they had gained by it. The *Dutch* more than any were now weary of the War, blaming their Allies for making such slow Paces in the Treaty, and were resolved on a separate Peace, if their Allies any longer delay'd a General one. So that every Thing necessary towards it began to be made in good earnest on all Sides.

Things had not long continued in this Condition, before Sir *Leoline*, by his great Vigilance and Intelligence, found out a Negotiation carrying on between the *French* and *Dutch* Ambassadors, separate from their Allies, and without his Privity or Intervention as Mediator; which (as he acquaints his Collegue, Sir *W. Temple*, at the *Hague*) he suspected would soon end in a separate Peace, if some Measures were not found out there, or at Home, to prevent it.

But for want of proper Care, or an early Belief of Sir *Leoline*'s Intelligence, together with the Dispositions of the People of *Holland* for Peace, the Terms between them were soon adjusted; and then the *French* Ambassadors desired Sir *Leoline*, as Mediator, to hand them to the rest of the Confederates: Which he utterly refused to do, or to have any the least Part in a Treaty of Peace, so hard and injurious to the rest of the Parties in War, so derogatory to the Mediatorial Right, which had been generally

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accepted, and ſo different from what the King his Maſter had propoſed to obtain.

And as if *France* had now no other Regard but for the Intereſt of *Holland*, a Ceſſation of Arms was ſoon after agreed and proclaimed between them. The Confederates in the mean time falling into the higheſt Terms of Reproach againſt the States, for abandoning them, after they had enter'd into the War, chiefly for the Preſervation and Defence of *Holland*; and for impoſing ſuch arbitrary Terms of Peace upon them, without their Privity and Conſent. Notwithſtanding theſe and the like Complaints, the *Dutch* were little moved, and were juſt upon ſigning of the Peace, when an Accident fell out, which had like to have overturned the whole Affair. For in the Conditions which the *Dutch* had made, for the *French* to reſtore the Towns in *Flanders* to *Spain*, there was no particular Time expreſſed for that Reſtitution: And when the *French* Ambaſſadors were called upon to explain themſelves in that Particular; they owned, that their Intention was not to evacuate theſe Towns, till thoſe of *Sweden* were likewiſe reſtored, and the reſt of their Allies ſatisfied; without which, they ſaid, they could not induce the Princes of the *North* in their Alliance to accept of the Peace.

Thus the Peace was in Suſpence for the preſent, upon this Refuſal of the *French*. The *Dutch* began to repent of the Haſt they had made in purſuing of it, and to think of betaking themſelves to different Meaſures. And freſh Application was made to his Majeſty, not only to defer the diſbanding of his Forces, but alſo to engage in the common Alliance. So that the King was once more at the Head of Affairs; and a Treaty was concluded at the *Hague* between *England* and *Holland*; by which *France* ſhould be obliged to declare within 14 Days, whether they would forthwith evacuate the *Spaniſh* Towns or not? And in caſe of their Refuſal, *Holland* was to go on with the War, and *England* was engaged immediately to declare War againſt *France*, in conjunction with the reſt of the Confederates.

After the Concluſion of this Treaty, the *French* imployed all their Artifices to elude it, or at leaſt to protract the Time of it; but both Parties were firm and reſolute. Till at laſt the fatal Day came, which was limited by the ſaid Treaty, for determining whether Peace or War was to be the Fortune of *Chriſtendom*; and then the *French* Ambaſſadors declared their Conſent to evacuate the Towns forthwith, and to ſign the Peace.

The ſame Day they acquainted Sir *L. Jenkins* and Sir *W. Temple* (who arrived at *Nimeguen* the Night before) with their Agreement upon all Points in Difference between them, and that the Treaty ſhould be ſigned that Evening, at one of their Houſes, that they might have that Part in it which was due to them as Mediators. But inaſmuch as his Majeſty's Inſtructions were only to mediate a General Peace, they refuſed to aſſiſt at the ſigning of a particular one, contrary to what had always been his Majeſty's Intention, and was ſo highly injurious and diſſatisfactory to all the Allies. Nor would they at all intervene, or bear any Part, either by having it ſigned at their Houſes, or by uſing their Names as Mediators in it. However, ſuch a quick Diſpatch was given to the Draught of that Treaty, that it was ſigned between 11 and 12 that Night. The *Dutch* preferring the Certainties of a Peace, tho' ruinous and deſtructive in the Terms and Event of it, before the uncertain Advantages of War, and rather than truſt to the Danger of delaying it till next Morning.

Thus *France* gained the Peace with *Holland*; and the Treaty ſo lately concluded between *England* and *Holland*, to the ſeeming Satisfaction of both Sides, became of no Uſe; and his Majeſty was excluded from any fair Pretence of entering into the War, after the Expence of raiſing and tranſporting a great Army into *Flanders*. *Spain* alſo, notwithſtanding their

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ſharp and violent Proteſtations, was neceſſitated to accept of the Terms the *Dutch* had negotiated for them. The Peace of the Empire was left at the Mercy and Diſcretion of *France*; and the Reſtitution of the unfortunate Duke of *Lorain*, which had been ſo ſtrongly inſiſted on as a preliminary Article, and had taken up ſo great a Share of this Treaty, was at length abandoned and left out.

THE next Day after the ſigning of this Peace, Sir *W. Temple* returned to his former Poſt at the *Hague*, Sir *Leoline* ſtill continuing at *Nimeguen*, in the Form and Quality of Mediator, tho' he declined the Function of it, nor would allow himſelf to have had the leaſt Part in the making of that Peace. Whereas the *Dutch* imployed themſelves with great Zeal, and no longer as Parties, but rather as Mediators or Umpires: And notwithſtanding all the Difficulties raiſed by *Spain* and the other Confederates, made ſuch Diſpatch of what remained in Conteſt between *France* and *Spain*, that the Treaty was perfected and ſigned on the 20*th* of *September* following.

[a] BUT in all this Sir *Leoline* would have no Part, as in an Affair diſapproved by the King his Maſter, and wherein his Mediation, he conceived, was unworthily treated; till at laſt he received poſitive and expreſs Orders from his Majeſty, to return to his Function; tho' the remaining Part he bore in that Buſineſs, was but little like that of Mediator; excepting it was in aſſiſting at the Negotiation and Conferences, after they were renew'd between the Empire and *France*; which alſo had ſuch an ill Appearance, that he was neither pleaſed with it himſelf, nor believed many others like to be ſo.

[b] A great Part of the following Winter was taken up in theſe Conferences between the *Imperial* and *French* Ambaſſadors, and were ſolely manag'ed by Sir *L. Jenkins*, who went from the Appartment of the one, to that of the other, in the Stadthouſe, with the Alterations and Amendments projected by the Parties, which, by means of an excellent ſhort Hand, he was able exactly to repreſent; addreſſing himſelf to, and debating with the *Imperialiſts* in *Latin*, and with the *French* in their own Language. After many Months thus ſpent in this new and laborious Method of Treaty, which frequently engroſs'd the whole Day, and held till Midnight, and was attended with incredible Fatigue and Application; Sir *Leoline* gave Notice to his Collegue at the *Hague*, that he looked upon the Peace to be as good as concluded, and therefore deſired him to come and aſſiſt at the ſigning of it; *not*, as Sir *W. Temple* vainly expreſſes it [c], out of any Apprehenſion of Fear, or Agony that he was under, *in being left alone*, but *becauſe it was an Act*, which, by the very Words of their Commiſſion, neceſſarily required *two of them*. Upon this Sir *W. Temple* returns to *Nimeguen*, and when it was ready, the *French* offer'd to yield the Precedency to the Mediators in ſigning, as they had very frankly done in the whole Courſe of this Treaty; but the *Imperialiſts* downright refuſed it; and the Mediators, according to their primitive Orders, refuſed to ſign without it. So that the only Point then gained by the Mediators being order'd to act in that Affair was, as they had very rightly foreſeen, the having that poſitively determined againſt them, which till then had remained in Suſpence.

AND afterwards, upon a ſubſequent Treaty between the *Imperialiſts* and *French* [d], for the evacuating of the Empire of the Forces on both Sides, when an Expedient was propoſed by M. *Colbert*, one of the *French* Ambaſſadors, that it ſhould be ſigned by each Embaſſy at their own Houſes, and by the Mediator at the Stadthouſe, Sir *Leoline* refuſed to enter into any ſuch Expedient, beneath the Dignity of his Character; or to intervene in any manner at the paſſing of this explanatory Act; ſince neither his Collegue nor himſelf had aſſiſted at the ſigning of the main Treaty. He told M. *Colbert*, he beſt knew upon what Grounds his Majeſty's Pretenſions were founded,

[a] *Temple*'s Memoirs, *pag.* 373. [b] Vol. II. *p.* 521. [c] Memoirs, *p.* 379. [d] Vol. II. *p.* 626, 7.

founded, that it was upon the Most Christian King's own Concert, to give in all Things the Place of Honour to the Mediators at *Cologn*, and afterwards upon his (M. *Colbert's*) own Instance, as well as of the rest of the Ambassadors, that he and his Collegues had stood upon the first Visit, and the Place of Honour upon all Occasions before the *Imperialists*. And when they afterwards sent to notify Sir *Leoline* that the Treaty was signed, together with a Draught of it, he absolutely refused even the Communication of it, that they might have no Colour or Pretence to report, that he had acquiesced in that Expedient.

Soon after this Incident, Sir *Leoline* received a Letter written by his Majesty's own Hand, wherein he was pleased to express the highest Marks of Esteem and Approbation of his Conduct, with an Intimation to him to leave *Nimeguen* and go for the *Hague*, and at his Departure to express some publick Marks of Displeasure. [a] Which he accordingly did, by going abruptly out of the Town, in the middle of the Day, in full Parade, without acquainting or taking leave of any Ambassador or publick Minister upon the Place.

Upon his Removal from *Nimeguen* [b], Sir *Leoline* received a fresh Commission from his Majesty, to be Ambassador Extraordinary at the *Hague*, in the Room of Sir *W. Temple*; and in Pursuance of it, arrived there the *1st* of *March*, 1678-9. But he had not been many Days at this new Station, before he was importuned by the Prince of *Orange* and the States, and intreated by the *Northern* Princes, to return again to his former Post, in Order to endeavour the Peace of the *North*. Which, upon the like Application to his Majesty, He was pleased to leave entirely to Sir *Leoline*, *to use his own Discretion* [c], *whether he would return thither or not*, and *without any other Instruction than this*, *viz.* to act *as he should judge most consistent with his Majesty's Honour*, and *the good of the General Peace*.

Upon this and the repeated Instances of his Royal Highness the Prince of *Orange*, and the States General, Sir *Leoline* thought it most adviseable to return to *Nimeguen*, and reassume his Mediatorial Function; having just before received a new Commission, impowering him *to act alone* in that Capacity, if he should think fit to return thither. As soon as he arrived there, he took the first Occasion to acquaint the Assembly with the many just Causes of the King's Dissatisfactions: Yet that the great Consideration which his Majesty had for the Repose of *Europe*, and the several Princes still in War, had prevailed with him, not to determine his Mediation, but even to sacrifice all his Resentments to his Zeal for the General Peace.

And all Matters being adjusted between the *Imperialists* and *French*, the *Northern* Princes made what Haste they could to finish their separate Peaces with one another, and so put an End to this famous Negotiation, which had so long amused the Assembly at *Nimeguen*, and *Christendom* was left for the present in a General Peace. And nothing considerable remaining in Difference between them, Sir *Leoline* received his Majesty's final Orders of Revocation in *July* following.

Thus have I brought Sir *Leoline Jenkins* through the several Stages of this great and weighty Post. A Post, where (as Sir *William Temple* in his Letter to the Lord Treasurer [d] observes) it happened unfortunately, that, *tho' the wise Paces a Minister makes, may never be worth taking notice of, yet he lies every Day in the Way of making ill ones*, and *upon them lies as open both to his Majesty's Dishonour and his own, as perhaps in any Employment of the World besides*. Especially if it be true, what Sir *W. Temple* afterwards affirms in another Place [e]: *That whoever should take the Pains to lay together the Paces they had made for some Time past in that great Affair, would conclude, the Secretaries of State never remembred, one Day, what had been done the Day before, or never cared what would be done.*

[a] Vol. II. p. 550. [b] p. 552. [c] p. 565. [d] New Edit. p. 455. [e] p. 501. Vol. II. Coll. 357, 3, 2, 3, 8, 567.

done the next; so as *to leave very often, for many Months together, an Embassy of the greatest Importance, without any Instruction at all.* And therefore the Successes and Issue of this Negotiation are not so much to be wondred at, while our Ministry was so unstable in their Councils and Conduct, uncertain in their Ends and Desires, and the Conduct of *France* was so admirable and uniform throughout the whole Course of that Affair.

I should before have told the Reader, that Mr. *Hyde* (afterwards Earl of *Rochester*) was also joyned in Commission with the Mediators in *September* 1677. but his Stay there was but short, and without entring into the Management of any Conferences or Dispatches. So that *by his Modesty*, (says Sir *W. Temple* [a]) *and my Lord* Berkley's *great Age and Infirmities, the Fatigue of that Employment lay still upon himself and Sir* Leoline Jenkins, *who writ alternatively the Dispatches from that Embassy to Court*, and to the other Princes and Ministers: Lord *Berkley* indeed, after a short Stay of about six Months at *Nimeguen*, returned into *England*, and died soon after. But how far *each* of these Mediators, or *who in Truth* was most concerned in the Affairs and Fatigue of this Embassy, will best appear from the Letters and Dispatches themselves in the following Collection.

IT may be expected that I should now draw some little Parallel between these two Collegues; and I am in some Measure drawn into it unawares, by a Passage to this Purpose in Sir *W. Temple*'s own Memoirs [b]. *Two more different Men* (says he) *were never joined in one Commission, nor agreed better in it: As at Evening Entertainments and Collations, in Dancings or Play, I seldom failed of making a Part; so my Collegue,* Sir *Leoline Jenkins, never had any in them; which gave Occasion for a good Word that passed upon it;* That the Mediation was always on Foot, to go on with its Business. *For I used to go to Bed and rise late, while my Collegue was a Bed by Eight and up at Four.*

Now there certainly were some very great Disparities in the Tempers and Dispositions of these two Persons; as I do not intend to derogate in the least from Sir *W. Temple*'s Character, so justly and deservedly establish'd, so I hope I shall not be thought to do any Wrong, or to be wanting in Respect to his Merit, if I endeavour to do some Right and Justice, where I think it has not yet been done. And this will give me Occasion to consider some Things Sir *W. Temple* has said of Sir *Leoline*, with the same Freedom he himself has express'd them; tho' I must confess all he says, is after such an agreeable and engaging Manner, that a Man is almost tempted to receive it without Examination or Contradiction. As to the Passage that I have just now cited from him, I shall say no more than this, that it often happens that Men bestow real Praise, and in the most effectual Manner, when they least design it; so with what View soever these Circumstances were insinuated, they could never make Sir *Leoline* lose his Place in the Esteem of sober and virtuous Men. It must be agreed to have been his usual Method to retire, as soon as his publick Engagements would permit him, in Order to recollect and digest the Business of the preceding Day; that he spent little or no Time at Collations or Entertainments, when he could decently avoid them; that he departed not from the Strictness of his former Collegiate Life, and abstained from most of the innocent and ordinary Pleasures that attend those Places; whereas it was his Fortune to be joined in all his publick Commissions with Men of Ease and Pleasure, so that the labouring Oar lay chiefly on him.

THERE are many other Particulars in his Character to show, that he *was not bred by* Sir *W. Temple*, as he is pleased elsewhere in his Memoirs vainly, to insinuate [c], or at least those that knew them both must own, Sir *Leoline* was a very indifferent Scholar, and of a very opposite Disposition

[a] *Temple's* Memoirs, 8vo *pag.* 242. [b] *pag.* 185. [c] *pag.* 272.

tion, for he lived very little after his Maſter's Example. 'Tis true, he wanted that Manner, with which ſome Men aſſert the Merit of their own Performances; and it was not his Method to ſuppreſs the Worth or Excellency of another, in Order to advance his own, but always paid a juſt Reſpect, and a proper Regard to every one concerned with him. And what he wanted of Sir *W. Temple*'s Vivacity and Courtlineſs, was amply made up to him by a ſolid Judgment, an indefatigable Induſtry, and Application to Buſineſs.

SIR *W. Temple* is pleaſed elſewhere to obſerve of him, and in Subſtance repeats the Obſervation, as if he believed it to be true*: That Sir *Leoline* had ever *ſo much Diſtruſt of his own Judgment*, that *altho' he had the greateſt Deſire that could be to do well*, yet *many Times he could not reſolve how to go about it*, and *was as much perplex'd about the little Punctilio's of Viſit and Ceremony that buſied that Embaſſy, as if greater Affairs had attended it.* Beſides (ſays he) Sir *Leoline lay under the Laſh of Secretary* Williamſon, *who, upon old Grudges between them at* Cologn, *never failed to lay hold of any Occaſion he could, to cenſure his Conduct*, and expoſe it at the foreign Committee, where his Letters were read to his Majeſty.

I have from ſome former Incidents of his Life ſhow'd, that there was little or no Reaſon for ſuch a Repreſentation; and when this Paſſage is fully conſidered, there will, I doubt not, be found as little Reaſon or Juſtice in it. Indeed, if Sir *W. Temple* by this means a due Deliberation or a prudent Precaution and Behaviour in theſe Matters, in expecting thoſe Regards which were juſtly Due and Incident to his Character, he is not miſtaken; or if he means an humble and modeſt Way of expreſſing his Sentiments of Things, and that great Deference which Sir *Leoline* always paid to his Experience and Abilities in theſe Sorts of Employments, he is certainly in the Right of what he ſays. For in Truth Sir *Leoline* was punctual in keeping to his Inſtructions, where he was limited; wary and cautious, where he was left free. He was afraid of affecting Novelties, or making any Experiments where his Orders were poſitive and expreſs; which ſhould they in the leaſt have failed of Succeſs, muſt have forfeited his Reputation and Safety. And every one almoſt knows, how ſtrict an Account is exacted even in Matters of Ceremony; which, notwithſtanding the Value that the World puts upon them, muſt be agreed to be trifling and minute, in Compariſon of the more weighty and ſubſtantial Buſineſs of ſuch Commiſſions. But the Servant is not to diſpute the Orders or Inſtructions of his Principal; and as Sir *Leoline* was in himſelf a Man of no Ceremony, but rather a profeſs'd Enemy to ſuch vain and trifling Diſtinctions, except where it might be of Conſequence or Prejudice to the King's Service; ſo he was too ſolid in his Apprehenſion of Things, to retard any real Buſineſs by Forms and Punctilio's, where he could ſafely and conſiſtently with his Inſtructions depart from them.

BUT what Sir *W. Temple* has told us in the very ſame Paragraph is, one would think, a ſufficient Reaſon for him to have uſed more than ordinary Caution in the minuteſt Circumſtances, when he was to expect ſuch ſevere Uſage from one, at that Time a powerful Miniſter of State; and with whom, in Vertue of his Office, he was obliged conſtantly to correſpond.

HERE the Reader may ſtop and wonder, that ſo humble and inoffenſive a Man as Sir *Leoline* ever was, both in his Language and Converſation, ſhould have ſo ſevere an Enemy, as Sir *Joſeph Williamſon* is there inſinuated to have been: Without entring into the particular Humour and Temper of that Miniſter, the only Reaſons that I can aſſign for theſe Grudges are two: The one was by Reaſon of ſome Articles in their Bills of Extraordinaries, during their Embaſſy at *Cologn*, while they lived at a joint Expence, which being objected to for its Extravagancy, Sir *Leoline* cleared himſelf from having

* *Temple*'s Memoirs, 8^vo^ *pag.* 280, 1.

had any Share in the Direction or Appointment of them. The other was, for gaining singly from the *Dutch* that Point of Honour and Respect to the Flag beforementioned, in their Return from *Cologn*, which was so acceptable at that Time to the King, without Sir *Joseph*'s Intervention.

But whatever the Conduct and Behaviour of Secretary *Williamson* was, I cannot find the least Sign of Resentment on Sir *Leoline*'s Part, which, if it had been mutual, might have proved of extream Prejudice to the Publick Affairs; but, on the contrary, the greatest Generosity and Deference to the Merit and Experience of that Minister, and uncommon Strains of Respect through the whole Course of his Letters, as well as upon other Occasions of Intercourse between them. Nay, there are such little Footsteps of Grudges or Resentment on Sir *Leoline*'s Part, that unless Sir *W. Temple* had given some further Credit to it, I should have wholly pass'd it over. It was either Satisfaction enough to the Greatness of Sir *Leoline*'s Mind, to know those Censures were undeserved and unprovoked, and that they were aimed at him without doing him any Harm; or that whatever Interpretations should be put upon his Actions, he was resolved to act as he conceived he ought, as the most ready Way, when rightly understood, to silence his Calumny, or at least to render it ineffectual. But, on the other Hand, a very remarkable Instance may be found, in the Memoirs of Sir *W. Temple*, where that Minister has done such low Offices in respect to Sir *Leoline* *; and my Author I am sure cannot be suspected of Favour or Partiality to Sir *Leoline*; from this single Instance, every one may judge how groundless and unreasonable the rest probably were, or what Temper was used on such like Occasions.

The *Spanish* Ambassador, says he, first appearing in Publick, gave Notice to the *Imperialists*, after which they sent a formal Notification of it to Sir *Leoline* as Mediator, and then to the other Ambassadors. Sir *Leoline* *having Orders to pretend the first Rank of Respect before* the *Imperialists*, and having likewise *another Order, which was, upon Matters in Ceremony doubtful, and not admitting the Delay of new Orders, to consult with the other Ambassadors, and govern himself as well as he could by Presidents and Examples*; Accordingly Sir *Leoline* consulted them, whether he should visit the *Spaniards*, after having given the first Notice to the *Imperialists*; and they concluded, that he should first know of them, whether it was done in Form, as to Ambassadors in general, or upon Account of the near Alliance in Blood between those Two Houses of *Austria*. The *Spaniards* *assuring him, it was only upon Account of the Nearness of Blood, and not out of any Disrespect to the Mediation, and that the same had been done before between those Two Crowns* at *Munster*; Sir *Leoline* was satisfied, having it from the *Spaniards* in Writing; and thereupon made them his Visit, and received theirs. For this he was sharply reproved by Secretary *Williamson*'s Letter, who had represented it to the King as a Disobedience to a positive Order, and giving up the Point to the *Imperialists*; *notwithstanding he had conformed himself to his other Order, of consulting the rest of the Ambassadors, and proceeded according to President.* Whereas if he had broken with the *Spaniards* upon this Point, he would have provoked the *Imperialists* to declare their Resolution of not yielding to the Mediators; upon which the rest of the Ambassadors would have recalled their Concession, and so have hazarded the Possession his Majesty was in, of the first Respect given to his Mediation. But Sir *W. Temple* being then before the Committee of Council when his Letter was read, he had the good Fortune, he says, to satisfie his Majesty and his Ministers, and to obtain Orders for his gracious Pardon, to be sent to Sir *Leoline*; for they would suffer it to run in no other Terms; for which, he says, he made as great Acknowledgments, as if his Fault had been much greater, and worse meant.

Of

* Memoirs 8vo, p. 281. Vol. II. p. 154.

Of the foregoing Cenfure, I confefs I can trace nothing among Sir *Leoline*'s Papers, and therefore leave it upon the Credit of Sir *W. Temple*; but I have abundant Reafon to doubt of the *latter Part of that Paragraph.* For I am verily perfwaded, from thofe high Strains of Gratitude and Humility that run through all his Letters, that if he had received the leaft Favour or Indulgence, in that or in any other Particular, he would not have failed in his Acknowledgment of it, but muft neceffarily have taken Notice of it in his Difpatches of that Time, which he has wholly omitted to do. It is poffible Sir *Leoline* might think his own Conduct, founded on fo much Reafon [a], juftified by fo ftrong a Prefident, and fo conformable to his Inftructions, that it ftood in need of no Anfwer or Apology from him. And 'tis plain, that notwithftanding the Reproof in the foregoing Inftance, he did not apprehend that he had in the leaft tranfgrefs'd his Authority, *becaufe he foon after followed the very fame Method in refpect to one of the* Imperial *Ambaffadors*, and was fully approved of; as will appear by the following Collection of Letters. But if there was any Ground or Reality in the foregoing Reproof of Secretary *Williamfon*, it fucceeded as ufual when Things appear in a true Light, and under a proper Examination, where nothing is regarded but plain Fact: That is, the Accufation redounded only to the Author's Prejudice; and as a broken Bone well fet, is faid to become ftronger, fo it made Sir *Leoline*'s Merit receive a greater Luftre, from his vain Endeavours to tarnifh it; and he was every Day more confirm'd in his Majefty's Efteem. And the Secretary was certainly very unhappy, to pitch on the foregoing Paffage for the Exercife of his ungenerous and cenforious Temper. And fo little, it feems, was Sir *Leoline* the worfe for thofe Reproofs and ill-natured Reprefentations, in the Opinion of his Majefty, or the Kingdom in general, that Mr. *Wood*, in his *Athenæ Oxon.* mentions a Report that foon after ftrongly obtained, upon the Death of Archbifhop *Sheldon*, that Sir *Leoline* was to fucceed him in that See, *being efteemed*, fays he, *eminent for his Profeffion, for his great Loyalty to his Prince, for his Love and Care of the Church of* England, *and its Orthodox Clergy.*

And how *great a Confidence* the King had at that Time in Sir *Leoline*'s Judgment, and *how much* the Miniftry relied on his good Conduct, I think appears beyond all Difpute, in that he was fo long trufted *alone in that Commiffion*, and was left for many Months together in an Embaffy of the greateft Confequence, and often at the moft critical Times, *without any Inftruction at all, but to purfue his own Difcretion.*

And yet a late Writer [b] of thofe Times (among his many other new and ill-grounded Conceits) would make us believe, that Sir *Leoline neither fpoke nor writ well*; in fhort, *that he underftood nothing*, efpecially of Foreign Affairs. I am loath to call this a wilful and malicious Mifreprefentation, when there is fo much outward Show of Sincerity, fuch a feeming Regard to Truth, and fuch an Air of Affurance to perfwade his unwary Readers that what he fays is well founded; but the leaft I can fay is, that the Author was not really acquainted with Men or Bufinefs, near fo well as he pretends to have been. And if I had no Evidence to produce, or if there was nothing in this Collection to difprove fuch an ill-natured general Suggeftion, it would be fufficient for me on the one Hand to deny, what he has on the other affirm'd, without the leaft Ground or Foundation whatfoever. Indeed in Embaffies of a fhort Continuance, and defigned chiefly for Show or Compliment, a great Name, and a magnificent Appearance, may do; but when Bufinefs is to be tranfacted, a Man of Bufinefs was certainly neceffary, a meer Cypher would have been of little Service.

That Author was the more unlucky in this particular Afperfion, becaufe the noble Lord, whom he would make to be the only Perfon then about

[a] Vol. II. *p.* 159. [b] Bp. *Burnet*, *p.* 531. The King was defirous to have Lord *Sunderland* again near him, that he might have fome body about him who underftood Foreign Affairs. *Jenkins* underftood nothing.

about the King that underſtood Foreign Affairs, was of a quite different Opinion from him in relation to Sir *Leoline*; and was Secretary a great Part of that very Time, and whoſe peculiar Province it was to correſpond with him. Yet he, as well as others in the Miniſtry, was ſo well ſatisfied with his Judgment and Conduct, as to leave Sir *Leoline* ſo long in that buſy and difficult Station, without any Inſtruction at all. And tho' that Lord happened afterwards to differ in Opinion from him, in reſpect to ſome other Matters that came under Debate, yet he always expreſſed a great Regard to Sir *Leoline*'s Judgment in Foreign Affairs, and treated him upon all Occaſions with a becoming Deference.

And when that * Writer was thus endeavouring to repreſent him, as a Perſon *underſtanding nothing at all*, he ought ſurely to have remembred what he had juſt before owned, that he was *conſiderably learned*. A Conceſſion very great and unuſual for that Writer to make to any one. And when he was deſcribing him in one Place, as *phlegmatick*, *dull*, and *ſlow*, he ought alſo to have remembred, how ſoon afterwards he repreſents him as an active Inſtrument, or the *chief Manager for the Court in Parliament*, and as it were in Oppoſition to the whole Houſe of Commons. In another Place, as the only Perſon that could *manage and influence the Clergy and City of* London. Which are ſuch ſeeming Inconſiſtencies, that I muſt own my ſelf at a Loſs how to reconcile. But upon the whole of what that Writer ſays, I think every impartial Reader cannot but infer, that Sir *Leoline*'s Credit and Eſteem in general was great, and the Reputation he had for Probity very conſiderable; whether he gave any juſt or real Occaſion to *blemiſh that Reputation*, (as he there likewiſe inſinuates) I ſhall afterwards more properly conſider.

As for thoſe *low and ungenerous Terms* beforementioned, which Sir *W. Temple* is pleaſed ſometimes to make Uſe of in Behalf of his Collegue, *after he was dead*, and conſequently unable to anſwer for himſelf; they ſavour too ſtrongly of Vanity and Self-conceit, to induce an impartial Perſon in the leaſt to believe, they are a true and ſincere Repreſentation of him; and, as every one may ſee from the following Extracts, in a *very different Stile* and Language from Sir *William*'s own Letters *at that Time*, as well thoſe written to Sir *Leoline* himſelf, as to others, in which he was occaſionally mentioned by him.

I need cite but a Paſſage or two to this Purpoſe, and becauſe the Teſtimony of them ſhall be the more unexceptionable, I will rather borrow them from the Collection lately publiſhed from Sir *W. Temple's own Papers*, than from any of thoſe which I happen to have in my Poſſeſſion.

In a Letter [a] from Sir *W. Temple* to Sir *Leoline* himſelf, from the *Hague*, are the following Words: This is all I can ſay upon this Subject, (Count *Kinski*'s Embarraſs with the *French*) *and I ſhould not have ſaid any Thing to your Lordſhip, who are ſo well able to judge your ſelf upon all theſe Emergencies, but that you are pleaſed to engage me to it by your Letter*, and I cannot make a Difficulty upon what you ſo earneſtly deſire of me in this, or in any other Kind.

And ſince I have mentioned Count *Kinski*, the Reader may, for his further Satiſfaction, compare the Account given of this Affair by the Embaſſy at that Time [b], and the after Gloſſes of Sir *W. Temple* [c] upon it.

The next Paſſage [d] is in a Letter from Sir *W. Temple* to Secretary *Williamſon* from the *Hague*, wherein are the following Words: What you intended towards the *Dutch* Ambaſſadors at *Nimeguen*, I believe is already performed; for among ſeveral Queries in Point of Ceremonies, *which Sir Leoline Jenkins's great Modeſty ſent me laſt Week*, upon the expected Approach of the *French* Ambaſſadors, one was, whether he ſhould take Notice

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* Burnet, 481, 531, 544. [a] *Temp.* Lett. 2 *d* Volume in Folio, *p.* 436. [b] Vol. II. of this Collect *p* 73. [c] Memoirs, 209. [d] *Temp.* Letters, *Pag.* 416.

tice of that Matter to the *Dutch? Upon his earnest Desire I adventured to give him my Opinion in them.*

In a Letter to the Lord Treasurer, in the same Book [a], speaking of Sir *Leoline*, he says, that *he was bound up by such strict Orders in Point of Forms, that he did not see how he could possibly with them perform the Part of a Mediator.* And yet he did, as I have before shewn, with a great deal of Honour and Reputation, both to the Crown and to himself.

There is another remarkable Passage in the same Book [b], in his Letter to the Lord Treasurer, *Aug.* 2. 1678. from the *Hague*; that gives us to understand, that Sir *W. Temple himself was no Stranger to these Lashes and Reproofs* of Secretary *Williamson*, but rather much better acquainted with them than Sir *Leoline* was; and the Reason he gives for it in the one Case, may be as justly applied to the other; and if true, will be the best Answer and Justification that can be made.

After all the Applauses, says Sir *William*, that have been given me here, upon the Perfection of the last Treaty, and among all the Accounts given me this last Post from *England*, of his Majesty's and the general Satisfaction, I received a Letter from Secretary *Williamson*, finding twenty Faults in it, and allowing nothing in it that was good; but I conclude this must be personal in the Secretary, and I have written to him accordingly, and justified my self; and if there was a Fault, it must have been in the Lameness of his Instructions, which no Ambassador can act by, and upon which I call Mr. *Hyde*, Mr. *Godolphin*, and Sir *L. Jenkins* to witness; and your Lordship too, upon that single Period in his last Instructions, upon the Time of our declaring War, which I was much press'd about here, and was fain to fence off as I could; my Secretary and I were both very long busy, not to find out the Sense, but his own Meaning of it, and were fain to give it absolutely over; which has happened to me so often, that 'tis nothing new from that Hand. *These Lashes and Mortifications are as little so too, having very often befallen me from him*; but never once from my Lord *Arlington*, Secretary *Trevor*, or Secretary *Coventry*, in ten Years Service under their Correspondence.

If therefore Sir *W. Temple* had so great a Share of his Lashes and Reproofs, and so undeservedly, as he himself was pleased to think, it is no great Wonder if Sir *Leoline* should sometimes meet with them, from a Person so familiarly and so unreasonably addicted to Censure.

Comparison, as I said before, was not my Intention, nor indeed agreeable to me, but the foregoing Passages have lead me into it unawares; and upon the whole, I think I may justly say, that if the one was great and eminent in Point of Abilities, the other doubtless was so too; if the one had Credit and Esteem Abroad as well as at Home, the other had all that was possible both to his Character and Person. If Sir *W. Temple* acquitted himself well in those high and important Imployments which he was engaged in, Sir *L. Jenkins* was generally acknowledged to have done the same in all his Stations. As, on the one Hand, he knew how to support the Dignity of his Rank, and to act the Part assign'd him with all suitable Decency; so, on the other, he never made Use of his Character to ill and unworthy Purposes. He had always the best of Intelligence, was punctual in his Correspondence, exact in pursuing his Instructions, wary and judicious in all his Steps, and upon all Occasions endeavoured to advance the Interest and Reputation of his Master with an indefatigable Zeal. He was never accounted partial to one or other of the Parties whom he had to deal with as Mediator, but was resolved to execute indifferently, and to the utmost of his Ability, what he thought was for the Honour of the King, and the true Interest of the Kingdom, or intrusted to his Care by the Parties concerned. But yet *the contrary has been said* of Sir *W. Temple*, as may be seen

[a] *Temple*'s Letters Folio, p. 508. [b] *Pag.* 479.

feen in the Lord *Arlington*'s Letters[a]; where his Majefty was pleafed to recal Sir *W. Temple* in the Year 1671, becaufe *he had found, by a long Experience, that a rougher Hand than Sir* W. Temple *muft be imploy'd to get him Right of the States, and one not to be intangled in politick Ties, to his Difadvantage.* Neither did Sir *L. Jenkins* ever entertain or encourage any private Negotiations feparate from his Collegues, or purfue other Steps than thofe of a General Mediator, and properly appertaining to his Character; *whether that can be fo properly affirmed of* Sir *W. Temple*, let the Reader judge even from his own Letters[b]. Many were the Complaints of the open and avowed Partiality of the *Swedifh* Mediation at *Cologn*, as appears by various Paffages in the enfuing Collection of Letters from that Embaffy; but there is nothing in the leaft to impeach Sir *Leoline*'s Conduct in that Imployment; but, on the contrary, many Things to fhew, and living Witneffes to evince the Value and Confidence he had from all that illuftrious Affembly, and the high Opinion which they had entertain'd of his Probity and Judgment. Proof of a Matter fo notorious, one would think unneceffary, after what has been already faid; and Foreign Teftimony moft of all fuperfluous, but in one refpect the more confiderable, becaufe it muft be fuppofed leaft partial, and proceeding from a right Judgment, rather than from any Biafs of Kindnefs or Affection. M. *du Crofs*[c], Minifter of the Duke of *Gottorp* at the Congrefs of *Nimeguen*, is perhaps too warm and fevere in his Reflexions; for he accufes Sir *W. Temple*'s Memoirs, in pofitive and direct Terms, of *a grofs indecent Freedom*, and of *many ill-grounded Reprefentations of his Collegue Sir* L. Jenkins, *as well as of others the moft able and eminent Minifters of State*, and whom he thought all along fo partial in his Mediation, that he defired for the future to be recommended to the particular Offices of Sir *Leoline*, for the Difpatch of thofe Affairs he fhould have in Commiffion to negotiate.

But the Sieur *de St. Difdier*, in his Account of that Congrefs, as on the one Hand, he was wholly unconcerned, or as a Sort of By-ftander in this Treaty; fo, on the other, feems to have preferved an exact Indifference; and has in his Treatife given a Sketch of the Characters of every Ambaffador that compofed that illuftrious Affembly; fuch at leaft, I fuppofe, as was the general Senfe and Opinion of that Time and Place.

And fpeaking of the *Englifh* Ambaffadors[d], Sir *W. Temple*, fays he, is a Man of Learning, fingular in his Manner, as well as in his Sentiments. He was look'd upon as partial in the Bufinefs of the Mediation. Many Perfons thought they difcovered a Vanity and Inequality in his Temper. Befides, he is a very ftrong and thorough Republican, as may be feen by the Obfervations he has wrote upon the United Provinces of the *Netherlands*. Sir *L. Jenkins*, his Collegue, is fincere, courteous, even in his Temper, juft and right in his Sentiments, and attach'd to his Religion, has Abundance of ufeful Knowledge, and has upon all Occafions fhew'd himfelf a good Mediator.

And leaft the Reader fhould think even this Citation to be too fevere on the Character of Sir *W. Temple*, and *the meer Prejudice of* French *Writers*, let him confult the Hiftory of thofe Times lately publifh'd[e], tho' I defire not to be anfwerable for the Truth of it.

[a] *Arlington*'s Letters, *p.*328, 337. [b] *Temple*'s Letters in Folio, *p.*443. [c] Lettre de M. du *Crofs*, Printed at *Cologn* 1692, in 4to. [d] M. *Temple* a beaucoup de belles lettres, il eft fingulier en fes manieres & en fes fentimens. Il a paffé pour partial dans la fonction de la Mediation. Beaucoup de Perfonnes on cru reconnoître de la vanité & de l'inégalité dans fon humeur. D'ailleurs il eft trés-habile & tout a fait Republicain, comme l'on peut voir par les remarques, qu'il a écrites fur l'Eftat des Provinces Unies des Païs-Bas. M. *Jenkins* fon Collegue eft honnefte, civil, équitable, droit dans fes fentimens, attaché a fa religion, il a beaucoup de belles connoiffances & il a toûjours paru bon Mediateur, *Hiftoire des Neg. du Nim.* 12mo. *p.* 7.

[e] Bp. *Burnet*, *p.*378. Sir *W.T.* was a vain man, much blown up in his own Conceit, which he fhew'd too indecently upon all Occafions. He thought Religion was fit only for the Mob. He was a Corrupter of all that came near him. And delivered himfelf up wholly to Study, Eafe, and Pleafure, *&c.*

As a further Argument of Sir *Leoline*'s Credit and Reputation abroad, the Reader may see Letters [a] from the Emperor and the Magistrates of *Nimeguen* and *Zealand* to him, upon the Conclusion of that Peace; and many more from other Princes and States might have been added, if I was inclined either to swell this Collection, or thought their Testimony to be in the least needful. And they being upon much the same Subject, are there omitted.

There was another remarkable Difference between Sir *Leoline Jenkins* and his Collegue, which ought not to be forgot. I shall not determine which of the two was most in the Right, but barely mention the Reasons of Sir *Leoline*'s Conduct, and leave every one to give his own Opinion on it. After the Treaty was signed between the Emperor and the *French* King, those Princes were pleased to order very considerable Presents for the Mediators, in Consideration of their Trouble and Services on their Behalf, in the Course of that long Treaty. Accordingly Sir *W. Temple received his Presents from all the Parties*, being indeed no more than what the *Swedish* Ambassadors had received from his Majesty, upon their Mediation at *Cologn*, *Breda*, &c. Yet Sir *Leoline Jenkins* had such a tender and scrupulous Regard for the Honour of his Majesty, and the Character with which he had been entrusted, that he absolutely refused them, and could not be prevailed upon, by any Arguments of those Ambassadors, or of his Friends, to accept his Presents from any of the Parties, but persisted in his Refusal to the last [b].

The Conference on that Occasion between Sir *Leoline* and M. *Colbert*, the *French* Ambassador, was so generous and common on both Sides, that I cannot forbear giving of it a Place here. A Day or two after the signing of the Peace, M. *Colbert* came to Sir *Leoline*'s House, and after a long Preface, full of Respect and Reverence to his Majesty, for his infinite Care and Zeal in bringing about the General Peace by the Means of his Mediation; and concluding with an *honourable Mention of the Pains taken by his Majesty's Ministers there, and in Particular by Sir* Leoline, *who had assisted so much longer than his Collegues*, took out two little Cases, wherein he said were the Pictures of his King (a very large and rich Jewel of Diamonds) and said, *that he had it in Charge from his Master, to deliver him the one for himself, as a Mark of the King his Master's Esteem for his Person and Merits, and to consign the other into his Hands for Sir* W. Temple, then absent. Sir *Leoline*'s *Answer was full of Respect to his Most Christian Majesty, and of the great Acknowledgment that was due to him for daigning to think of him; and how much he was obliged to M.* Colbert *and his Collegues, for making so favourable a Report of him; that he should look upon the Present as an infinite Honour intended him, but desired to be excused from receiving it, and would be content with the Honour of being thought worthy of it by so great a Prince.* M. *Colbert* replied upon him with all the Civility and Complaisance that could be; but still Sir *Leoline* defended himself from receiving of the Presents. When M. *Colbert* saw he was in earnest, *he used many Arguments to induce his Acceptance* of it, *from the common Usage of all Kings and Princes, especially of the Kings of* England, *to give Presents to Ambassadors; from the Practice in all other Treaties of a General Peace; and from the particular Example of the Pope's Nuncio in that very Treaty*, who, tho' a Churchman of great Rank and Quality, and had served but a short Time in the Function of Mediator, yet had accepted the King his Master's Presents. To this Sir *Leoline* answer'd, *that he had the greatest Regard that could be to all those Usages, and was far from presuming himself to be in the Right, but that he had some little Scruples of his own, which he did not know how otherwise to satisfie, but by with-holding his Hands from so great a Present, which he was sensible he had no Pretence to Reserve.*

[a] Vol. II. *pag.* 681, 2, 3. [b] *pag.* 628.

deserve. Then M. *Colbert* told him, *he was sure the King his Master would be greatly offended with his Refusal*; but still Sir *Leoline* excused himself, by representing to him, *that he was too low an Object for the Displeasure of so great a Prince.* When he saw Sir *Leoline* was resolved not to take the Jewel, he told him, *it was a Mortification to himself in Particular, to see his Master's Present refused; and that he would write to M.* Barillon, *to complain of him at Court; and doubted not, but that upon his Motion, his Majesty would be pleased to lay his Commands upon him to receive it.* To this Sir *Leoline* answer'd, *that he should always have a perfect Obedience for his Majesty in all Things, yet hoped that his Majesty, who best knew how little worthy he was of it, would judge it a sufficient Honour, that he had such a Present offer'd him, without his presuming to take it.*

At last M. *Colbert* put up the Case, and said he would send it to M. *d'Avaux* at the *Hague*, to remain in his Hand (for that he himself should go from hence before M. *Barillon*'s Answer could come) to the End it might be there ready for him, when the King's Injunctions should be laid upon him to receive it.

Then he ask'd Sir *Leoline*, whether he would suffer himself to be charged with the Present his Master had destined for Sir *W. Temple*; Sir *Leoline* answer'd, that he would acquaint Sir *W. Temple* of it by that Night's Post; but desired, that he would be pleased to send that likewise to M. *d'Avaux*, rather than charge him with it, the Journey he was to carry it in being not without Risque. M. *Colbert* said, his Master's Orders were express to leave it in his Hands; and that he thought he (Sir *Leoline*) could not take upon him to give an Answer for Sir *W. Temple*.

M. *Colbert* was as good as his Word; for soon after Sir *Leoline Jenkins* received his Majesty's Commands in a Letter from the Lord *Arlington*, to accept of the *French* King's Presents, and likewise those of the Emperor, when they should be offer'd. In Answer to which, there is Sir *Leoline*'s own Letter to that Lord in the following Collection[a], and another upon the same Occasion to the Lord *Sunderland*.

In which he prays those noble Advocates to represent his Reasons to his Majesty, with his most humble Petition that he might be left to his own Liberty. That in his Opinion, a Mediator ought to carry himself with a perfect Impartiality towards all Sides, and therefore was as improper to receive Gifts or Gratuities from either Party, as a Judge or an Arbitrator for giving of a just Sentence. Not that he meant in the least to restrain his Collegues in their Liberty to do otherwise. That he had served there much longer than they had done; and therefore thought, he had greater Obligations upon him to that Strictness. Neither should he desire this, but that he thought it most suitable to the Dignity of that Character with which he was honoured, and that it could not be in any wise to his Majesty's Disservice. He would not accept of any personal Kindness from those Hands, from which, he thought, his Master could not obtain Justice. That the Peace of *Holland*, as well as that of *Spain*, had been made without any Intervention of his Majesty's Ambassadors; and tho' the Peace of the Empire was made under his Majesty's Mediation, yet the Precedence justly due to him at the signing of it, was refused. That there was as little Reason to be obliged to the *French*, who had carried every Point that they had thought fit to stand upon in that Treaty with the Emperor; and might, if they would, have carried this Point of Respect too, for his Majesty's Mediation.

That the Peace of the *North* was really not made at *Nimeguen*, but in *France*; that his Majesty had interposed many Offices on that Side, and directed the same to be done by him at *Nimeguen*, for the Elector *Palatine*, the Dukes of *Newburgh*, *Lorain*, *Deuxponts*, and many others, in Cases of

[a] Vol. II. *pag.* 680, 681, 628.

of the greateſt Equity and Juſtice, but without the leaſt Succeſs: *For theſe Reaſons he hoped*, his Majeſty would be pleaſed to diſpenſe with him from accepting that Preſent from the *French* Ambaſſador, or from any others of the Parties, if they ſhould be offer'd him; *becauſe*, in his humble Opinion, *the receiving of them would imply, that his Majeſty was ſatisfied with the Regard that had been paid to his Mediation, which he had theſe very great Convictions of his own to aſſure him he was not*; but, on the contrary, had many juſt Cauſes of Reſentment given him, tho' he was ſo gracious as to ſacrifice them all to his Zeal for the Peace of Chriſtendom.

THIS was an uncommon Piece of Philoſophy, and ſuch an Inſtance of Self-Denial as cannot be often parallell'd. And when his Majeſty was afterwards pleaſed to leave him to purſue his own Inclinations, Sir *Leoline* acknowledges it *with as much Thanks*, and *in as high Terms of Reſpect, as many others would have done the Receipt of a Bounty*.

AND whoever conſiders the following excellent Rules, which Sir *Leoline* laid down to himſelf at his firſt Entry upon this high Employment, and how carefully he adhered to them, as will abundantly appear by the enſuing Collection of Letters, need not wonder, that he acquitted himſelf ſo well. Whether they are altogether new or not upon the Subject, I ſhall not determine, but they are doubtleſs ſuch, as his own Knowledge and Experience in thoſe Affairs had convinced him to be truly uſeful. Some of them ſeem to concern chiefly the particular Character of a Mediator, with which he had been inveſted. Some of them relate to that of a general Ambaſſador; but may perhaps not improperly be applied to ſome other Capacities of Life.

A *Mediator*, ſays he, ought to be a Man of Temper, Patience, and Longanimity. Patience and Temper may overcome Difficulties, when Heat and Earneſtneſs, a peeviſh or contradictory Temper cannot, or often fail.

HE ought to know how to yield and comply with the ſudden Paſſions and Excurſions of thoſe he treats with.

HE ought to be well inſtructed of the reſpective Intereſt of the Princes or Parties in War, and to let their Miniſters ſee, that he ſtudies their Honour, and is concerned for the Safety of their Eſtates.

HE ought to inform himſelf before he come upon the Place of Treaty, from the Miniſters his Maſter may have in the Courts of the reſpective Parties in War, not only of the general Intereſt, but alſo of the particular Views and Inclinations of thoſe Princes, with whom he is to negotiate; and the Character, Paſſions, and Intereſt of their Plenipotentiaries, which often Influence the Prince himſelf.

HE is to conſider how their Confidence is to be gained, and what Inſtructions they may probably bring with them, otherwiſe he will neceſſarily have falſe Views, and give falſe Advices to thoſe that employ him.

ABOVE all, he is to preſerve an exact Impartiality and Indifference, without which, there can be no Confidence in a Mediator; and without Confidence, no Fruit can be expected from the Mediation. And therefore he is not to ſhow either on his own, or on his Maſter's Part, any Apprehenſions on the News of ill Succeſs, ſo as to cauſe any great Change or Conſequence in either of the Parties Pretenſions.

WHATEVER Secrets are committed to him, he muſt be careful not to diſcover them to the others, further than he has ſpecial Leave from the Parties to do it, and he is to take all proper Occaſions to aſſure them of the ſtricteſt Secrecy; not that he is to be always upon the Reſerve, but ought to diſtinguiſh Things of Conſequence from thoſe of little, or of no Importance.

AND foraſmuch as the Prejudices or Inclinations of the People about a Man, are apt to be faſtned on himſelf, he ought to forbid his People to

write

write of the Affairs of the Mediation; especially to discover any Thing relating to it, to the Attendants of other publick Ministers.

If the Parties are unwilling to advance their Propositions one before the other, least one should seem more needy of a Peace than the other; then a Mediator is to think of Expedients to save the Honour of both; as to have it done at the same time, or else to consign them privately into his Hand.

If the Mediator is sure of one Side, he may lay it before the other by way of Discourse; or to propose it as the Opinion of some third or neutral Party.

He is not to press any Thing but with great Circumspection, and in its proper Seasons, avoiding every Thing that may *choquer* the Party.

He is to dwell in general Terms, and to reason only upon the Propositions made by others, but to make none formally himself; especially in the Beginning of a Treaty, when Matters are crude and undigested; for one Side or other will unavoidably complain.

A Mediator is to refuse any Thing *in depositum*, that may render him a Party. He is only, as it were, to hand the Propositions of one Party to the other, to dispose them to accept or abate, by such prudent Motives and Arguments, as he thinks are most likely to prevail.

And as the Parties may be apt to utter sharp Expressions, or hard Invectives one of the other, a Mediator is to make Use of such Words only as conduce to the End proposed; and to avoid whatever tends to heat, or to widen, rather than to heal the Difference; because such Invectives will not only be returned, but Heat and Earnestness will ever be Grounds of Suspicion and Partiality in the Mediator himself.

The other Rules seem to relate to the Character of an Ambassador, or Publick Minister in general.

He ought not in the least to exceed the Letter of his Commission or Instructions, as the *French* and *Spanish* Generals did in *Italy*, in making a particular Truce, which the Two Crowns afterwards disapproved; but if the Intention is not fully and clearly expressed, he ought to apply as soon as possible for an Explanation thereof.

He ought never to undertake *pour un Tiers Prince*.

He ought not to quit his Residence suddenly, or upon slight Occasions, for it creates Jealousies, and often has obstructed an intended Negotiation; especially if it be without the Knowledge of the Prince or State with whom he resides.

No Publick Minister is to expect to enjoy his Privilege as such, to the Prejudice of the Laws of the Land; but ought to demean himself in a just Conformity to the Laws of every Country where he resides.

He ought to be careful what Memorials he delivers and receives; that they meddle not with Matters of the Government where he resides; that they be not couched in harsh and angry Terms, or unmannerly Language.

A Memorial is best in general Terms, and the argumentative Part omitted, and to be rather insinuated at the Delivery of it to the Prince or his Minister, without any Terms of Sharpness, or comparison of Governments, which are ever *choquant* and odious, and will give a Handle to reply. No private Interest ought to be ingredient in it. A Minister ought to sacrifice all Affronts relating to himself in his personal and private Capacity, but not to enter into any Accommodation, or even to determine what will amount to a Satisfaction in any Thing relating to his Character. But the safest Method, on all Occasions, when the Time will bear it, is to send the Minutes of the Memorial to be consider'd and approv'd of at Court before it is given in.

It especially concerns a Minister to be cautious in the Mention of his Master's Title, least any Thing be left on Record through his Means, which may hereafter prove prejudicial to it.

It is a safe and good Course practised by the Court of *France*, to answer Memorials by word of Mouth; and no Importunity can draw it from them in Writing, unless it is particularly directed by the King, in order to make his Answer the more publick.

These were some of those Rules, besides many others which may be observed in the ensuing Letters, that Sir *Leoline* set himself, at his Entry upon that important Trust. And I must here acquaint the Reader once for all, that it was his usual Method, and preparatory almost to every Thing he undertook, to pass some Time in Reflexions, which he writ down just in the same Simplicity that he first formed them in his Mind, and the Reasons which offer'd themselves on the one Side, as well as on the other; as might be shewn by many others of the same kind under his own Hand, but that they do not fall so properly within the Nature of my Design.

The Congress at *Nimeguen* being come to a Conclusion, and Sir *L. Jenkins* having received Orders for his Return, arrived in *London* about the middle of *August* 1679, and was very graciously received by his Majesty. The 21 *th* of *February* following he was sworn a Privy Counsellor, and soon after made Secretary of State in the Room of Mr. *Coventry*. But before I speak of him in that Capacity, it will be necessary to go a little back in Point of Time, in order to shew how critical and dangerous the Conjuncture was, when Sir *Leoline* came into that Office; and to give some Account of the Proceedings in Parliament, in which he had so great a Share.

The Long Parliament was just before dissolved, which had continued by several Adjournments and Prorogations almost 18 Years; being fallen into great Heats upon the Alliances with *France*, and the Business of the *Popish* Plot, which was then in the Height. And as Things which may be called the best in their Nature, and within their due Bounds, become the worst and most dangerous when they are corrupted; so this Parliament, after having given the greatest Proofs of Loyalty and Affection to the King, being grown distemper'd, called in Question his most just Prerogatives, and even many of those which they themselves had before unanimously declared to be inherent in him by Law. And some of the leading Members, out of secret and particular Motives, others out of Fondness to their old licentious Principles, others out of a presumptuous Value of their former Merits, and the nearer Prospect of the Duke of *York*'s succeeding to the Crown, (who was now generally deem'd a *Papist*) began first to form the Design of a Bill of Exclusion.

The first Step they took was, by a gentle Address in *November* 1678, that the Duke might withdraw himself from his Majesty's Person and Councils; in Compliance of which, he retired with his Family to *Bruxels*, to try if that would allay the Heats and Suspicions of the Parliament; but that not producing the desired Effect, they were, as I before said, dissolved.

A new Parliament meeting in *March* 1679-80, run immediately into the same Heats, notwithstanding the King offer'd to consent to any Laws for the Security of their Religion and Liberty, that no Successor in after-Ages might be able to work the least Alteration. But this was not at all satisfactory; and the many Messages and Assurances from the Crown, were construed only as so many Arts of Popularity, and laughed at as Court Tricks, too stale to pass any longer. So that in *May* following, they brought in a Bill to exclude the Duke of *York*, which first occasioned a short Prorogation, to see if these ill Humours would spend themselves and go off; and was soon after followed by a peremptory Dissolution.

Another Parliament was summoned to meet in the Month of *October* in the same Year, his Majesty hoping, that the Country reflecting on the late Miscarriages, and the Danger of being involved in another intestine War, would proceed with more Caution in the next Election, and send

up

up Men of cooler Tempers. But he soon found himself mistaken. For the prevailing Men of the former Parliaments being again returned, they were resolved to begin where they had ended, and again brought in a Bill of Exclusion. No Interval or Recess could cool them, the former Jealousies were rather heightened, and grown more inveterate by Delay, and Time brought in fresh Suggestions, and new Occasions of Suspicion, instead of wearing out the old. The Consequence of which hot Proceedings was, that this Parliament likewise was first prorogued, and within a few Days after dissolved.

IN these several Parliaments, Sir *L. Jenkins* was elected a Burgess for the University of *Oxford*, and had a very considerable Share and Management in this Debate, as will appear by two entire Speeches on that Occasion in the following Collection; tho' I cannot fix the exact Time, or particular Session of Parliament in which they were delivered.

THERE are, I confess, some Heads or Minutes of Speeches, said to be Sir *Leoline*'s, on this Subject, in a printed Collection of Debates in 8vo, but as a [a] Writer of that Time justly observed, whoever reads those Collections attentively, will easily discern them to be only so many Snaps of Discourses maliciously patch'd together: Not that they are entirely false, without any Mixture of Truth, but that Truth for the most part corrupted, transformed, and spitefully disguised; and appears quite another Thing to the World, than what was delivered upon the Place. The Passions, the Reasonings, and the Distempers, are heighten'd on the one Side, while all the Arguments and Answers on the other are either quite left out, or at the best maimed and blunted.

A new Parliament was summoned to meet at *Oxford* on the 21*st* of *March* 1680-1, in which Sir *Leoline* was again returned, as one of the Representatives of that University.

THE Change of the usual Place was very displeasing to many Persons of both Houses, and a great Disappointment to others, whose Power and Influence necessarily suffer'd a Diminution by it; and several of the Nobility petitioned his Majesty to alter his Resolution, that they might not sit at a Place where they could not be able to act with that Freedom and Safety as was necessary. The King notwithstanding persisted in his Resolution, and met the Parliament at *Oxford* on the Day appointed; and declared, *that he called a Parliament the sooner, that no Irregularities should seem to make him out of Love with them.* That *he was willing to forget all former Miscarriages,* and *to give one Instance more, that he had not neglected, on his Part, to give that general Satisfaction and Security, which, by the Blessing of GOD, might be obtained, if they, on their Parts, brought suitable Dispositions towards it; and that the just Care they ought to have of Religion, be not so managed and improved into unnecessary Fears, as to be made a Pretence for changing the very Foundations of the Government.*

THE Debates of the Commons in this Parliament, began with a Motion for Printing the Votes and Proceedings of the House; which, considering the ill Use that had been made of it in the former Parliaments, was opposed by Sir *L. Jenkins*, *as against the Gravity of that Assembly, and that which was not done by any great Assembly in* Christendom, *and might be of dangerous Consequence, to expose in Print any of their Proceedings to the Censure of the People, wherein either the King or his Administration is reflected on, or the Prerogatives of the Crown are subjected in a kind of Appeal, to the Arbitration of the People.* But it was resolved that they should be printed, that inasmuch as they were not at Liberty to pass their Resolutions into Laws, yet it might appear what their Sense of

[a] Sir *R. L'Estrange.*

of Things was, and that the People whom they represented might have an Account of their Proceedings.

FROM this Debate they fell upon a Bill of Exclusion, to which Sir *Leoline* again gave his Negative, and his Reasons in few Words, finding it to little Purpose to use more. *Because the King had often declared, that he would never consent to any Alteration in the Succession;* that *his Majesty gave them a Latitude for Expedients, which he hoped they would consider of, and not have the Bill any more put to the Hazard of a Rejection.* But the prevailing Part of the House was still of the same Opinion as before, that no Expedient could be entertained, but that of a total Exclusion; and that there could be no Security against the Duke of *York*, if he once got in Possession of the Throne. And so violent were they in their Proceedings on this Bill, that nothing could resist or divert them; and the Opposition that was made, like the sprinkling of a little Water on a Fire, only served to increase and advance the Violence of it.

BUT I think it was for one Day suspended, in order to give Place to another Debate, which was upon the Impeachment of one *Fitzharris*, for writing a Libel, and therein traducing the King and Royal Family as being Papists, and arbitrarily affected; and that it was as much in the Power of the People to depose a Popish Possessor, as a Popish Successor. This Libel was industriously reported to have been wrote with the Privity and Consent of the King, in order to be fix'd upon the Dissenters, and leading Men in Parliament, as a Design of theirs to raise a Rebellion, or disturb the Government. And this Opinion the Commons seemed to be of; and taking it for a Continuation of the Popish Plot, the Heat and Credit of which was easily preserved by every little Accident, they resolved to make the most of it, and formally impeach'd *Fitzharris*; and to put yet a greater Indignity upon the King, they pitch'd upon Sir *L. Jenkins*, then Secretary of State, to carry up the Impeachment to the House of Lords; which he at first refused, as a Proceeding very reflecting upon the King his Master, and the Character he bore under him: But the House being warm, as well as positive in their Order, Sir *Leoline* was perswaded by his Friends to explain himself; by saying, *that he was far from thinking himself too big to become a Messenger of that House, or that his Office was any Excuse to him; but apprehended the Motion was not made in earnest, for the sending of him on such a Message, which, he thought, look'd like a Reflexion upon the King; and no Consideration but his Zeal to his Majesty could have induced him to say so; but if the House insisted on their Order, he was ready to obey.* The Truth is, the Motion was carried on with Indecency and Ridicule; and proposed by a Gentleman, who had received many personal Civilities and Obligations from Sir *Leoline*; which was a Circumstance that rendred it something more ungrateful and displeasing to him.

BUT the Lords threw out the Impeachment, and directed *Fitzharris* to be prosecuted at Law; which the House of Commons carried to that Extremity, as to vote it a Denial of Justice, a Violation of the Constitutions of Parliament, an Obstruction to the further Discovery of the Popish Plot, and of great Danger to the Protestant Religion. *The first Time*, as a Writer[a] of that Time wittily observes, *that leaving a Man to the Law, was held a Denial of Justice; and that those who stiled themselves the true Protestants, should stickle so zealously for the Deliverance of a professed Papist, and at the same Time vote the Trial of him an endangering of the Protestant Religion.*

THIS Disappointment occasioned the Commons to fall again with greater Heat on the Bill of Exclusion. So that his Majesty perceiving the Animosities of the Two Houses were untractable, and that there was no Possibility

[a] *L'Estrange.*

bility left for a Reconciliation, diſſolved them. And thus ended this ſhort-liv'd Parliament, which had continu'd but eight Days, and was the laſt Parliament of that Reign.

SUCH was the State of Things, and thus difficult were the Times when Sir *Leoline* was appointed Secretary of State: He received the Seals on the *26th* of *April* 1680. being at firſt Secretary for the *Northern* Province, and for the *Southern* in the Years 1681, 2, 3, 4. No Man has been ſo unjuſt as to ſay, that he gave *ſix or ten Thouſand Pounds* for this Promotion, which Sir *W. Temple* more than once tells us[a], notwithſtanding all his boaſted and ſuperiour Merit, *was the Terms and Conditions upon which it was offer'd to him:* Nor could any one in the leaſt ſurmiſe that he was guilty of any diſhonourable or unworthy Compliances to obtain it; but on the contrary, was called to it by his Merit, his unſhaken Loyalty, and his long Experience in publick Buſineſs.

AND as the Times were critical and dangerous when Sir *Leoline Jenkins* firſt entered upon this important Office, they were no leſs ſo during the whole Time he continu'd in it, which was four Years. A Head leſs ſteady, or a Conduct leſs prudent and ſedate than his, could not have held in ſo long in ſo buſy a Seaſon, under ſo many Difficulties, and when the Proceedings were ſo warm and violent; and if ever his Honeſty and Integrity ſtood him in Stead, they ſurely did at that Time. He had the good Fortune to eſcape Addreſſes, Commitments, and Impeachments, which he could not have avoided, if he had given the leaſt Foundation for them, either in the Courſe of his Embaſſies, or in his other Employments, as the many Inſtances of that Time leave no Room to doubt: He had given ſufficient Proof that he was above all ordinary Temptations, that he was clear from the Suſpicion of foreign Penſions and Dependence, and it was well known that he had rejected the rich Offers of *France* and of other Princes, with a generous Indignation, *tho' they were ſuch as were well founded in Cuſtom,* and *to be juſtified by numerous Preſidents*; 'tis true, he did not oppoſe this or that Nation from any vulgar Humour or popular Prejudice of the Times, but only as it ſeem'd to him to be more or leſs for the Intereſt of his own Country: And in all his Employments at Home and Abroad, ſhow'd himſelf to have an Heart entirely *Engliſh*, and diſcharged himſelf upon all Occaſions with a Conſtancy that became him.

THE breaking out of the Fanatick or *Rye-houſe* Conſpiracy in the Year 1683, was as ſevere and troubleſome an Incident as any that befel him in the Courſe of his Miniſtry. The Particulars of which are ſo well known, that I ſhall ſay nothing of them here, but that as Sir *Leoline*, in Vertue of his Office, had a great Share in the Diſcovery, and in thoſe prudent Methods for the preventing its ill Effects, ſo his Majeſty had that juſt Sence of his Fidelity and Service therein, that he was pleaſed to acknowledge it by a moſt condeſcending Letter under his own Hand.

AMONG theſe Conſpirators was the Duke of *Monmouth*, whom the reſt had drawn in under an Oſtentation of Honour, and the Temptations of Fame, by aſſerting the Cauſe of Religion and Liberty, and by inflaming him with Suſpicions of the Duke of *York*'s irreconcileable Hatred to his Perſon. But he ſoon after, in Confidence of the Love and Regard his Majeſty was known to have for him upon other Reaſons, beſides that of being his Subject, diſcovered himſelf to the King by a Letter full of pathetick Terms and Acknowledgments of his Folly, for having offended his Majeſty, and promiſing an entire Obedience for the future, and did therein freely and fully acknowledge the whole Conſpiracy; and not only confirm'd what was before known, but revealed many Paſſages of it, which till then were unknown. In which the King thought he ſaw a greater Spirit of Sincerity and Ingenuity than after proved. And upon his Majeſty's Command,

[a] Memoirs, 8vo pag. 271, &c.

mand, the Duke immediately surrendred himself to Secretary *Jenkins*, and by his Means was introduced into the King's Presence, and reconciled both to the King and his Royal Highness. But this Reconciliation lasted not long, for he soon fell again under the King's Displeasure, and was ordered to retire beyond Sea. His Majesty hoping, that at so great a Distance, the Influence of his Associates would be less effectual; and that by his Absence, he might be kept innocent of the treasonable Designs which were then carrying on against the Government. But the Duke retiring into *Holland*, met such a Reception among the discontented People from *England*, as made him giddy, and prevailed over his unwary Understanding to enter into a new Course of Disloyalty, and to embark in those desperate Enterprizes which were so averse to his Nature; the Consequence of which is too well known, to need any Place here.

Now whatever Foundation there was in Reality for this Plot, or the former, I shall not pretend to determine. For as on the one Hand there were some at that Time under such terrible Apprehensions of a Popish Successor, that they believed at large of the Popish Plot, and were easily disposed to receive the most frightful Relations of it: So on the other Hand, there were those that disbelieved the whole Popish Plot, as if it were only a Cover to a Republican Conspiracy, and a meer Artifice to advance the latter, under the Apprehensions of the former. There were others again, that looked on the Fanatick Plot as a Piece of Policy, and a meer Contrivance, in Order to baffle the Popish Plot, and to crush the Ring-leaders of that Party, who had for several Years so warmly endeavoured to prevent the Duke's Accession to the Throne. There were yet a different Sort of People, who look'd upon both with a more careless Eye, thinking it as necessary for Ministers to have Factions and Conspiracies, as it was for the State to prevent them, and as if they themselves had created or fomented them, that they might have Opportunities to evidence their Loyalty and Vigilance in the Discovery of them. So that Truth is almost lost between these Extremes.

It cannot be pretended that there were no Designs managed by the *Roman Catholicks* or *Presbyterians*, for the promoting of their respective Interests, or indeed for embroiling a State, under which they conceive themselves to be severely dealt with (which is almost natural to every Sect, against the established Religion of a Country). There were doubtless many true Circumstances at that Time, tho' it must be agreed, that they were refined and improved by the Industry of others, and had more Art than Truth throughout the whole; and there were many strange Particulars and Improbabilities in both, which could never have found Credit, or produced such fatal Effects in the Nation, at any other Time.

After all, I shall not interpose my Opinion on these difficult and mysterious Matters, which more properly belong to general History. But yet could not wholly pass over in Silence any Transaction in which Sir *Leoline* must have been deeply and immediately concerned, in Vertue of his Office; and with what Temper and Disposition he behaved on these Occasions, will soon appear.

It was, as I have before said, Sir *Leoline*'s usual Method, on most Incidents, in Order to strengthen himself for publick Encounters, to step aside as it were first, and consider calmly with himself, before he form'd any final Judgment or Determination, and to commit to Writing his Reflexions just as they occurred to him. That busy Scene of Things abovementioned, seem to have been the Occasion of many a severe and troublesome Reflexion. These ensuing are some of them, and 'tis hoped, will in some Measure show the virtuous and honest Motives on which he acted. As the first or dead Colouring of a great Master seems to have more Likeness than when it has received the last and finished Touches, so from these secret

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Recesses and first Impressions of the Soul, we can attain a better and clearer Discovery of any Man's Actions, than by the more elaborate and artificial Productions of his Mind.

WHAT is amiss in the present State of Affairs?

1. WHATEVER Amendments Law and Justice require, those ought first to be made, whether in Civil or Ecclesiastical Affairs, and without Favour or Interest. And it will become those in Power to be the first Movers, and most zealous Sticklers in this Kind of Reformation.

Righteousness exalteth a Nation, but Sin is a Reproach to any People, Prov. xiv. 34.

The Work of Righteousness shall be Peace, and the Effect of Righteousness, Quietness, and Assurance for ever, Isa. xxxii. 17.

Now the Acts of Law and Justice are,

1. THE securing Religion from Atheism, Profaneness, and Immorality.

2. THE punishing Offenders against the Law, relating to publick or private Right indifferently, without Respect of Persons.

3. SEEING that the Laws themselves be not a Snare or Burden to the Subject.

Secondly, WHAT Amendments, Discretion or Policy may require in the present Posture of Affairs?

THERE are three Parties in this Kingdom to be consider'd: 1. The Church of *England*. 2. The Non-Conformists. 3. The Papists. The last cannot be obliged, without contradicting the Establish'd Laws, irritating the whole Body of the Nation, and ruining of all.

As to the 2*d* Party, it is to be considered, that they are at this Time numerous. But will they, who cannot be governed now they have no Power, be more easily governed when they have a Share in the Power and Government of the Nation? Can any Method or Expedient be found to unite and cement them with the Church of *England*? If Religion be the real Ground of Difference, they cannot; for it is not Doctrine, but Discipline or Government, which they contend about. From whence it clearly follows, that they must differ as much as ever, till that Form of Government, which they like, be establish'd. If Religion be but a Pretence, then it is plain what is really intended. But still they are numerous, and they must either be governed with firm and steady Reins, or their Fierceness must be abated by Concessions; but what those can be that will satisfie, GOD alone knows. For Liberty and Indulgence doth not oblige ungovernable and ambitious Men, but render them more haughty and licentious; and the more is granted, the more still will be expected. Voluntary Concessions are Favours, forced ones are a Diminution of princely Power, and seldom obtain a suitable Return, but are only an Encouragement to popular Heat and Confidence. Yet in troublesome Times, no Prince should exert such an Act of Power as may subject his Prerogative to Dispute; but his Prerogative is best exercised in remitting, rather than exacting the Rigour of the Laws.

HIS late Majesty, in his Εἰκὼν Βασ., *ch.* 1. professes, that he designed in the Calling of his last Parliament, to give all Satisfaction to moderate and sober Desires, and to redress all publick Grievances in Church and State. A little after, he wishes that he had kept himself within those Bounds, and not have suffer'd his Judgment (he should have said his Resolution) to have been overborn by Importunities; and he might have added, by meer Appearances of Danger, and by popular Tumults.

As to the 3*d* Party of Men among us, those of the Church of *England*, I am sure they have deserved much, and have suffer'd much, they are the only People, whose Pretensions are founded on the Law, and whose Principles and Form of Government strengthen and support Monarchy.

WHICH

WHICH Way may we be secured for the future?

THE Things most apprehended or feared are, a Commonwealth, Popery, or a lasting War about the Succession, which probably will be both foreign and domestick.

A Commonwealth, if the Factions on Foot prevail; Popery, if the Duke succeed; and a lasting War, if he be excluded.

EITHER of those are great Evils; but if one must necessarily come to pass, which is eligible? I believe, if the Nation were at this Time to answer, considering the Question abstractedly, they would say, that Popery was the worst, War the next, and then a Commonwealth. But if we consider, that a Commonwealth cannot be established, nor the Succession interrupted, without the highest Injustice, the Answer is easy; for it is better suffer the greatest Evil, than to do the least Injustice.

THE late King hath this Observation *Ei. Bas.* *cap.* 2. upon my Lord *Strafford*'s Death. Nor hath GOD's Justice failed in the Event and sad Consequences, to show the World the Fallacy of that Maxim; Better one Man perish, tho' unjustly, than the People be displeased.

TO do Evil, that Good may come thereof, is the Corruption of Popery it self. *Wo! to him that buildeth a Town with Blood, and establisheth a City in Iniquity*, Hab. ii. 12.

AND if a Commonwealth were to be established, what Good should we obtain? It would but change one Master into many, and the Laws of wise and sober Men into the Novelties of Projectors, and the wild Fancies of a Multitude.

THERE is no governing without Laws; and true Liberty consists in a Conformity to rational Laws. What now a Days is meant by Liberty, is but the Overthrow of establish'd and approv'd Laws, and to set up Humours, to which Obedience must be exacted as Laws.

BUT may not all these Evils be prevented, and that with Truth and Justice? A Commonwealth the King can easily prevent: 1. By standing firm and resolute to the fundamental Laws. 2. By making no more Concessions than may satisfie moderate and ingenuous Men, or rather, than Conscience and Justice will require. And above all, 3. By promoting true Religion, in the Decency of Worship, Sobriety of Doctrine, and Beauty of Holiness.

POPERY the Duke may prevent by a hearty and sincere Profession of the Protestant Religion, which it ought to be the Endeavours of every honest Man to excite in him.

AND War the Parliament may prevent, by doing no Injustice. Tempests in State are greatest, when Things grow towards an Equality; as natural Tempests are greatest about the *Equinoctia*.

WHEN Princes lean to a Faction, or particular Party of their Subjects, the Boat is soon overset, one Way or another. *Henry* III. of *France* enter'd into a League for the Extirpation of the Protestants, and presently after the League was turned upon himself.

IT is a desperate Case, if those at the Helm are full of Discord and Faction, and those against them be entire and united.

HE that walketh uprightly, walketh surely. As a plain and open Declaration of ones Sence removes private Jealousies; so the free passing of the Law upon all suspected Persons, and a plain just Trial upon all Suspicions of Moment, takes away the Ground of publick Fears. The most dangerous is that discontent, where the Fear is greater than the feeling, *Dolendi modus, timendi non item:* And it is the Justice of GOD oftentimes to punish Men by that very Thing which is immoderately feared.

I BEFORE acquainted the Reader, that Sir *Leoline* was sworn of the Privy Council, in Vertue of his Office of Secretary of State; he was an especial Mem-

Member, and ſhould now ſay ſomething of him under that Capacity; but inaſmuch as that Sort of Work is, as it were, behind the Curtain, and under the ſtrict Obligations of Secrecy, it will in a great meaſure eſcape our Enquiry; tho' it may be underſtood, if I were altogether ſilent on this Head, that Sir *Leoline*, who ſo well underſtood the Intereſt and Conſtitution of his Country, and had gone through ſo many important Negotiations of the Crown; he, I ſay, that had given ſuch convincing Proofs of his Honeſty and Integrity, could not be an idle or an uſeleſs Counſellor.

THE Matters which this honourable Aſſembly has to deal with, 'tis well known, are not only of the greateſt Importance to the whole Kingdom, but it is in many Inſtances a Court of Juſtice, and determines Matters of private Property, either in the firſt Inſtance, or on Appeal. Here therefore Sir *Leoline* muſt have had frequent Occaſions to ſhew his Experience in Buſineſs, and his great Abilities in the Law and Practice of Foreign Nations. Here he had frequent Opportunities to aſſert and maintain thoſe Juriſdictions, in which he had ſo long preſided, against the Incroachments made upon them, as he had in former Times done againſt thoſe two eminent Authorities, the Lords Chief Juſtice *Hales* and *Vaughan* *. One of his Arguments on that Occaſion is to be found among the following Collection.

HE had one very memorable Occaſion to exert himſelf at the Council Board, and that was, upon the Privileges of the City of *London*. For the Diſſolution of the two laſt Parliaments having cauſed a Spirit of Diſcontent, many Petitions were preſented to the King for the ſitting of the Parliament; and among the reſt, ſuch a Petition was zealouſly promoted and preſented from the City of *London*. This and ſome other Circumſtances in the Behaviour of the City at that Time, occaſioned his Majeſty in Council to reſolve on a *Quo Warranto* againſt them. What Debate it had in Council, I am not able to conjecture, any further than from a Letter of Sir *Leoline*'s to the [a] Duke of *York*, containing his Sentiments on that Subject: Wherein he ſeems to have differ'd widely from the reſt of that Honourable Board; and had the Reſolution to ſtand unmoved, by the Importunity and Example of thoſe, whom he thought it was his Duty in all Things elſe to obey. However, a *Quo Warranto* being brought in the *King's-Bench*, Judgment was given, that the Liberties of the City ſhould be ſeized into the King's Hands; but by the King's ſpecial Command, the Entry of the Judgment was reſpited, to ſee if they would ſubmit themſelves to his Majeſty's Pleaſure. I cannot poſitively ſay, this Forbearance was the Reſult of Sir *Leoline*'s Advice, but it certainly was agreeable to his Sentiments. And ſome of the City had that grateful Senſe of the Part which he had acted in that Affair, that they conferr'd the greateſt Teſtimony of it in their Power, by preſenting of him with his Freedom, and afterwards chooſing of him Maſter of the *Salters* Company; and leaſt Sir *Leoline* ſhould think it any Diſparagement to him, in the Poſt in which he had the Honour to ſerve the King, the Company acquainted him in their Letter, that the Lord *Berkley*, Sir *Joſeph Williamſon*, and ſeveral other Miniſters of State, had born the like Offices in other Companies.

AND here I cannot but take Notice of another groundleſs Calumny, in the Hiſtory [b] of theſe Times lately publiſhed. *Jenkins*, ſays the Author, (for that was the moſt decent and courtly Appellation he could find, for Perſons of the greateſt Character and Diſtinction) *managed the whole Buſineſs of the City with ſo many indirect Practices, that the Reputation he had for Probity was much blemiſhed by it.* What thoſe *indirect Practices* were, which he ſuppoſes Secretary *Jenkins* to have been concerned in, I am not able to diſcover; neither has his own fruitful Invention been able to inform us: And therefore ſuch general and groundleſs Aſperſions, with-

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* *Vid.* Preface to *Molloy's Jus Marit.*

[a] Vol. II. 684.

[b] *Burnet*, 528, 531.

out one Degree of real Evidence to support them, deserve no other Answer but Contempt. As he had a great Interest with the Clergy and chief Magistrates of the City, he might perhaps perswade them to a *Submission and Compliance in some Things*, as the *most effectual Method to prevent worse*: He might, and I believe did, influence them to be *passive in the Loss of some of their Privileges*, tho' duly and legally inherent in them, *as the only Means to preserve and secure the rest*: When he found all Opposition would be ineffectual, and the King resolved to go thro' with the Work he had begun, and *especially since the Judges*, to whom it more immediately belonged, *had legalized those Proceedings by their solemn Judgments*; but *his own Opinion* seems to have been *early, and always against them*. How the City, after some few Days Deliberation, presented their Submission to his Majesty, and how that Judgment was afterwards reversed by Act of Parliament as illegal and arbitrary, are Particulars too well known to be here related.

THERE were other Instances wherein he differ'd from the general Vogue and Humour of the Court: He was a certain Enemy to all chimerical Projects that came before the Council, and however, through Inadvertency, or other secret Motives, they passed glib with the rest, they were sure to meet Opposition with Sir *Leoline*, who had Resolution to dissent, and Experience enough to distinguish between what was practical and really useful, from what was meerly chimerical. Sir *W. Temple* [a] tells us a remarkable Instance of this in Sir *James Sheen*'s Project, *for increasing the King's Revenue in* Ireland, *by a new Farm of it to himself*; which, tho' approved of by the rest of the Council as very advantageous, yet Sir *W. Temple* and Sir *L. Jenkins*, by their Assiduity, found out the Cheat, and laid the Matter so bare, as to shew, *that it was in Effect not only a Farm of the Revenue of* Ireland, *but also of the Crown it self*. And if Sir *Leoline* had not had a more than ordinary Share in the Conduct of that Discovery, Sir *W. Temple* (who was so fond of aggrandising his own Merit) would hardly have allowed him to partake in the Credit of it.

HE constantly and timely declared against every *irregular or illegal Proceeding*; and where it was not in his Power to hinder or mitigate the Violence of some Prosecutions, yet it was contrary to his Inclination and Temper to heighten and increase them; or in the least, to hasten the Fall of those unhappy Persons, who were not to be reclaimed by any other Methods than those of legal Severities; and, *Phaeton* like, chose rather to burn, than not to manifest their ill-grounded Zeal. As he was moderate and tender in all Matters, where he had any direct Authority or Concern, in vertue of his Office, so in other Respects he often appeared as a Sollicitor, to relieve many at that Time under the Pressure of the Law. Tho' he was most loyal to his Prince, both in Principle and Practice, and a great Asserter of Monarchy, and the Right of Succession in the Crown, yet I could never find that he was for enforcing a blind Obedience from any one, or that he was for altering or transgressing those Bounds the Law had fixed, between the just Prerogatives of the Crown, and the legal Rights of the Subject. But he thought Obedience had its proper Bounds, as well as every Thing else, and did not extend beyond the Rules of Justice. And I have before sufficiently shewn, that he would not execute every Purpose of the Court whether right or wrong, but made the known established Laws the Measure of his Actions. He had learnt by the Experience of many Years, and a Variety of Instances in that Reign, that the Prince's Will was not always sufficient to protect his Minister from popular Resentments; and therefore he pursued the same just and honest Resolutions in his Behaviour at the Council Board, as he had all along set himself in his other Parts of Life.

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[a] Memoirs, 3d Part, p. 347.

At length, after 4 Years Service in this high and busy Station, Sir *Leoline*'s Constitution was so wasted by his Zeal and Application for the Publick Service, that he became unable any longer to bear the Fatigues of his Office; and the more so, (as Mr. *Wood* says) *because his Brother Secretary did not understand it* [b]. So that he obtained Leave of his Majesty, on the 14*th* of *April* 1684, to deliver up the [c] Seals of his Office; tho' (as the publick Account of that Time has it) *with much Unwillingness, because of the great Satisfaction his Majesty always had in his Services.* Not as the ill-natured Pen of the beforementioned Author expresses it [d], because *he had now done all the Drudgery that the Court had Occasion for from him, and was capable to serve them in nothing else.* For this was the Language he thought proper to make Use of for that *honourable Service*; and such is the injurious Treatment he gives not only to Sir *Leoline*, but almost to every other eminent and worthy Person of that Reign. But Sir *Leoline*'s Retirement was not from any such Motive or Consideration, it was Nature founded his Retreat; and he had still the same Place in the Esteem of his Royal Master.

Hereupon he gave a farewel to all secular Imployment, and retired to an House at *Hammersmith*, where he resolved to finish the Remainder of his Days. Having now attained to that Privacy which he had so often wish'd for, he began to consider his approaching Dissolution with a more steady Eye, and to close his Accounts between God and his Conscience, which indeed he had ever made one of the most important Articles and familiar Exercises of his whole Life. But tho' he had left off all Commerce with the busy Part of Mankind, yet as long as he lived, Learning and learned Men were still his Care as much as ever, and he was useful to them in many Respects. His Friends had an easy Access to him, and still applied to him whenever they had Occasion. The King himself was not unmindful of his long and faithful Services, and vouchsafed often to enquire after his Health, and sometimes to require his Opinion, as if he had been still one of his Ministry.

In the middle of *March* 1684-5, King *James* II. being then on the Throne, Sir *Leoline* was again sworn of the Privy Council, and at the same Time elected Burgess by the University of *Oxford*; and upon some little Return of Health and Strength, fresh Application was made to him to appear in Business; but his Indispositions of Body soon returning upon him, he was never able to sit in that Parliament, but died the 1*st* of *September* following, in the 62*d* Year of his Age. But if we consider the Manner in which he pass'd that Life, which was ever in the real Improvement of himself, to the Advantage of those he lived with, or in the Care of Posterity; I say, if we compute his Time by such Measures, he may be said to have lived twice as long as many others of the same Age.

What secret Warnings, or Presages of Death, he might have, I know not; but as he had often spoke of it in full Health without Concern, as a meer Debt to Nature, or as some indifferent Thing; so the latter Part of his Life was a continual Theam and Meditation upon it. He seemed to those about him, not only to be well prepared, but also patient, easy, and free from all those fearful Apprehensions, which are the certain Companions of a departing Sinner, after an ill and immoral Course of Life.

It is the Remark of a late polite Author, that *there is nothing in History so improving or affecting, as the Accounts of the Deaths of eminent Persons, and of their Behaviour at that Season, because there is no other Circumstance in the Story of a Person, which can possibly be the Case of every one who reads it. A Battle, a Triumph, or a publick Ministry, are Conjunctures which not one Man in a thousand is likely to be engaged in; but when*

[b] See also Bp. *Burnet*, *p.* 531. [c] Vol. II. of this Collect. *p.* 691. [d] Bp. *Burnet*, *p.* 592.

a Person is at the Point of Death, we cannot forbear being attentive to every Thing he says or does, because we are sure that some Time or other, we our selves shall undoubtedly be under the same melancholy Circumstances. And since I have endeavoured to speak of Sir *Leoline* in every other Part of Life, it may not be amiss to give some little Account of his Behaviour and Discourse, a very few Days before his Death; as it was attested by Mr. *Bedford* to the rest of the Executors, and was taken as Part of his Will. This Gentleman had belonged many Years to Sir *Leoline*, and was Deputy Register of the High Court of Admiralty, had for some Time attended him in his Foreign Imployments, and was a Person of great Integrity, Learning, and Ingenuity, especially in his own particular Profession. He compiled a curious Abstract of all the Sea-Laws, and dedicated it to Sir *L. Jenkins*, but it was never Printed; and by Sir *Leoline*'s Will was restored to him again.

His Honour, says he, several Times after the making of his Will, spoke of being *buried by his dear Friend Dr.* Mansell, *in* Jesus-College *Chappel, and described to me where he lay*; at the same time weeping much out of the great Affection which he had for him. He spoke particularly against any Monument for himself; but at my earnest Request permitted an Inscription upon his Grave Stone.

He desired me to take Care, *that his Corps might not be mangled, but to be buried in Woollen, according to the late Act, and wrapp'd in Lead, that it might not be offensive.*

Afterwards he recommended to me his Chaplain, *esteeming the Vacancy of* Nutfeild (the Advowson of which he had given to the College) *to be too great an Uncertainty for him; and was desirous some other Way might be found out for his being settled in a Living.* He also desired my Care of his other Servants, for their diligent Attendance of him in his Sickness, and besides half a Year's Wages, left it to his Executors to gratify them further; *not knowing*, as he said, *how much longer he might continue in that Condition*; intimating, that if he lay long, they should be consider'd accordingly. At the same time he likewise told me *of several private Charities he had constantly allowed*, and gave me some Directions in them; and that I might take more for the same Purpose, if I thought fit, and that his Executors would readily allow it.

At another Day he was pleased to speak to me as to one of his Executors, *to take Care of those who attended him, and in particular to use my utmost Endeavours in Behalf of those two of* Jesus-College *about him* (meaning his Chaplain and his *Amanuensis*); saying, *he was more obliged to consider them, who had taken so much Pains and Care about him, than an hundred of the College whom he had never seen, nor ever should see.*

And some Days after, by a Codicil, he again intreats his Executors, to *gratifie all those, who in his Sickness had or should attend him, in such an ample and comfortable Manner, as they should judge reasonable; and tho he must leave it to their Discretion, yet I would have it done* (says he) *with a Regard to that Tenderness, that a Man who doth considerable Legacies for pious Uses, and to such as he never saw, must be presumed to have towards those that do him real and actual Service.*

Just before his Death, he said, *it was indifferent to him whether he was buried at* Jesus-College, *or at St.* Bennet Paul's-Wharf, London; but Mr. *Bedford* supposing, that he might speak it out of Fear of his having some Trouble to get his Corps carried to *Oxford*, told him, that it might be easily carried thither: Upon which he was pleased to say, *That he had his Beginning at* Jesus-College, *and so had thought fit in Return to leave to the College the greatest Part of what he had*; and therefore seemed to like it best to have his Body returned thither also.

These

THESE and the like Expreſſions frequently falling from him, made his Friends to apprehend that the Day of his Death drew near. And when that Day was come, he put off Mortality with as much Content, Chearfulneſs, and Peace of Mind, as he uſed to expreſs in the ordinary Occurrences of his Life, without any violent Agonies, or Strugglings of Nature, and in the full and perfect Uſe of his Reaſon to the laſt. So that the Circumſtances of his Death were every way ſuitable to thoſe of his Life, and he died as he had lived, with great Piety and Reſignation.

WHEREUPON his Body was embalmed, and carried from his Houſe at *Hammerſmith* to *Oxford*, being attended by ſome of his intimate Friends, and domeſtick Servants. And if the Bodies of Men be capable of any Honour, Sir *Leoline's* had as much as any Man's could have; and he was attended to his Grave with all the Decency and Splendor becoming thoſe high Imployments he had undergone. So grateful and obliging to him was that learned Body, for the many uſeful and acceptable Services he had performed for them in the Courſe of his Life. And Wit and Eloquence were now at work, to offer up their Tribute to his Memory.

THE Pomp and Manner of his Reception there, and of his Interment, is thus deſcribed by one that was an Eye-witneſs [a]. When the Corps came near the City, ſeveral Doctors, and the principal Members and Officers of the Univerſity, the Mayor, Aldermen, and Citizens, ſome in Coaches, and others on Horſeback, went out to meet it, and conducted it to the Publick Schools, where the Vice-Chancellor, Biſhop of the Dioceſe, and the whole Body of the Univerſity, were ready to receive it, and placed it in the Divinity-School, which was fitted and prepared for that Purpoſe, with all convenient Ornaments and Decorations.

TWO Days after, the Vice-Chancellor, ſeveral Biſhops, Noblemen, Doctors, Proctors, and Maſters, met there again in their Formalities, as well as many others that came to pay their laſt Reſpects to him; and the Memory of the Deceaſed being ſolemnized in a *Latin Oration* by the Univerſity Orator, the Corps was removed to the Chappel of *Jeſus-College* Where the Vice-Chancellor (who happened to be the Principal thereof) read the Offices of Burial; and another *Latin Oration* was made by one of the Fellows of the College, which was accompanied with Muſick, Anthems, and other Performances ſuitable to the Occaſion. After which it was interr'd in the *Area* of the ſaid Chappel, with a Marble Stone over his Grave, and a *Latin* Inſcription on it, ſuppoſed to be made by his old Friend Dr. *Fell*, Lord Biſhop of *Oxford*, and Dean of *Chriſt Church*, a Copy of which is to be found in the following Collection.

HAVING thus endeavoured, by the foregoing imperfect Draught, to give an Account of the moſt remarkable Paſſages of Sir *Leoline's* buſy and uſeful Life; and having traced him from his Birth to his Grave, from his Appearance in Publick, to his moſt private Receſſes; I am thinking whether it would be an Abuſe of the Reader's Patience, after what has been already ſaid, to add any Thing further of him. But inaſmuch as there are ſome particular Circumſtances, and ſome conſiderable Vertues, which I have not yet had an Opportunity, or at leaſt not ſo fully, to ſpeak of before; and ſome others which could not be fixed to any one Period of Time, but were habitual, and conſpicuous in all his Tranſactions; it may not be amiſs to add theſe further Obſervations on him.

FROM what has been ſaid, it appears, that his Life was, as it were, one continued Courſe of Labour and Induſtry for the Publick Good. Few vacant Spaces, or neglected Moments, ſlipp'd away from him, and he was praiſe worthy almoſt in every Part of Life. His moſt indifferent Actions

[a] Much the ſame Account in the *Gazette*. And in *Wood's Ath. Oxon.*

were agreeable to the Dictates of Reason, such as became the State he was called to, and suitable to a Life of great Application and Business.

THOSE that are altogether Strangers to the Character of Sir *L. Jenkins*, may possibly think, that I design only a Panegyrick, and pass over in Silence what might be said to his Prejudice. I am far from thinking, that he, of whom I am speaking, was perfect, and void of all Frailties. I am fully sensible, that from the best and wisest of Men an Action has sometimes fallen, which has cast a Blemish on the rest of their Conduct; but in the Character now before me, there were as few Blemishes as can be shewn perhaps in any, and none of Guilt. Whatever might have had the Appearance of this kind in his Conduct, I sincerely profess has either escaped my Enquiry, or else is here fairly taken Notice of.

AS few Persons have had Opportunities of doing so much Good in the Course of their Lives; so few, if they had, 'tis to be feared, would have had Inclination to do it. But Sir *Leoline* seemed not to have been content in the Merit of his former Actions, while there was any Thing left in his Power to do. For, not yet to mention that large Scheme of Charities he projected to himself, he had many other Things in his Intentions for the Publick Service. So unwilling was he, while he did live, to live in vain, and not to employ the Remainder of his Days to the same generous Purposes.

THAT which he had most laboured in his latter Days, was in relation to the Commissions of Delegates. That whereas many Suits of great Weight and Consequence, are from time to time appealed to the King in *Chancery*, from divers Ecclesiastical, and other Courts of the Civil Law, both in *England* and *Ireland*: And such Appeals are committed to the Hearing and Determination, not of any one standing Court, but of such Persons as are appointed by the Lord Chancellor *pro hac vice*; and upon every Business there is a new Commission and new Judges. To prevent many Inconveniencies that arise in such occasional Commissions, his Wishes and Intentions were, if he could have brought them to bear, that there should be one standing Commission of Delegates; and for that Purpose, he had with great Care and Judgment formed a Draught of Rules, to be established by the King's Authority. What Directions or Encouragement he might have from his Majesty, to hope for Success in this Attempt; or whether it miscarried by his Death, which happened not long after, I am not able to determine.

NOT to mention several other Matters which he had prepared, but proved abortive, as a *Bill to prevent clandestine Marriages*; and another to revive the ancient Authority of *Rural Deans*, as a Design, he thought, of great Concern to the Discipline and Polity of the Church, and for the better preventing of Vice and Immorality. He had two considerable Designs in View; the one was, a *Bill to unite and subject Peculiars and exempt Jurisdictions, to the respective Dioceses wherein they lay*; and to vest the whole Power of proceeding and determining, as well in Causes of Instance, as of Office, in the respective Bishops. But this Design he soon laid aside, for Fear the Abolition of those little Jurisdictions, like that of the smaller Religious Houses in *Hen.* VIII. Time, might usher in the Downfal of the greater.

THE other was a Bill de *contumace capiendo*, whereby the same Process, Penalties and Disabilities were to be enacted, as in the Case of a Person excommunicate by the Statute 5 *Eliz.* and to impose a pecuniary Mulct for lesser Contumacies and Offences, to be applied for the Repairs of Cathedral Churches. This last has been the Endeavour of some learned Men since, and therefore it may not be amiss just to touch upon the Substance of the Bill, as then projected by Sir *L. Jenkins*.

THAT no Person should be excommunicated in any Cause where the Matter in Controversy was a meer Interest or Duty between Party and Party, or for any Sum accruing or imposed as an Ecclesiastical Duty; but instead thereof, after a Person shall be pronounced contumacious, there shall issue forth a Writ to the Sheriff *de contumace capiendo*, under the Seal of the Ordinary. That every Sheriff or Officer to whom such Writ shall be directed, should cause the same to be duly executed; and should take Bail, as in Cases where a *Capias* issued out of the Temporal Courts.

THAT after Sentence or Decree in any of the said Ecclesiastical Courts, (and from which there is no Appeal) the Person at whose Suit such Decree shall be obtained, might sue forth out of the Ecclesiastical Courts a Writ of Execution. That such Writ of Execution should be duly executed by the Sheriff, and every Person taken thereon should be adjudged to all Intents to be in Execution at the said Party's Suit. And if any Person taken in Execution should escape, the Party to have an Action of the Case for such Escape, as if he had been in Execution by *Capias*, out of any of the Courts at *Westminster*.

BUT it is no great Wonder, that nothing of this kind took Place, if one recollects those different Views and Pursuits, which three or four successive Parliaments were so warmly engaged in. It was Sir *Leoline*'s good Fortune, before the breaking out of the Popish Plot, to obtain the passing of the Statute 22, 23 *Charles* II. *cap.* 10. *for the better settling of Intestates Estates*; the Justice and Wisdom of which Law, has ever since been held in great Esteem; and by turning to the following Collection [a], the Reader may see the *true Reasons* upon which it was founded [b]. He had likewise some Hand in preparing the *Statute of Frauds and Perjuries* [c]; especially that Proviso in it, which excepts the Wills of Soldiers and Seamen from the strict Formalities required in the Wills of other Persons, leaving them to the full Privilege of the old *Roman Military Testament*.

MANY other real and valuable Services Sir *Leoline* performed in Behalf of the Society at *Doctors-Commons* [d]; as in the Year 1673, in procuring their Freedom and Exemption from several Taxes and Assessments unduly laid on them by the Court of Aldermen; and afterwards in the Year 1682, when he was Secretary of State, in procuring their Exemption from all Ward and Parish Offices, in the same Manner as Serjeants, Council, and Attorneys of the King's Temporal Courts. To this might be added, his Project of a *Bill to settle and ascertain the Jurisdiction of the Court of Admiralty*, and the many Arguments he had in Defence of it; but of this something has been said before. And when the Judgment abovementioned was given against the City of *London*, and a new Charter was proposed to be passed, a Liberty was offer'd to Sir *Leoline*, of inserting any Clauses he thought proper; for securing the Jurisdiction of the Admiralty and Ecclesiastical Courts from Interruptions, by Prohibitions grounded on the Customs of the City; and that the Judges of the said Courts for the Time being, might be Justices of the Peace for the City, as well as the Senior Aldermen, and some other Privileges; but as he had early declared against those Proceedings, he was resolved not to derive any Advantages from them to himself, or to the Society.

BY these and several other preceding Passages of his Life, it appears how great his natural Capacities were for Business, how much they were improved by constant Study, and an indefatigable Industry and Application, and how they were ever imployed to worthy and generous Purposes. All the Time that he could safely borrow from the Publick Service, was spent in Study and Reading, which he often profess'd to be his most agreeable Entertainment; and which was the more so to him, by reason of a strong happy Memory, and a regular Method in Reading.

HE

[a] Vol. II. *p.* 695. [b] *Vid.* Judge *Raymond*'s Report, *p.* 499, 502. [c] 29 *Car.* II. *c.* 3. [d] Vol. II. *p.* 693, 4.

He was versed in many modern Languages, and spoke them fluently, and had some Gleanings in most Parts of Learning, even in those which gratify the Curiosity, more than the Understanding of a Man; but he had chiefly addicted himself to those of real and immediate Benefit. He was not only eminent as any one of that Age, but almost perfect in the Business of that useful Profession wherein he had engaged himself; and, considering his particular Bent to the Civil and Canon Laws, he had a very great Knowledge of the Common and Statute Laws of the Realm.

He was a Man of little Leisure, and of no Sort of Pleasure, even to a voluntary Abstinence from innocent and agreeable Diversions; and in many Things of Life exceeded the most rigid Stoick. To this he probably owed his great Strength of Body, and a Constitution not only healthful, but also capable of the closest Application; and always lived in a sparing, abstemious Way, that he might be the fitter for Business, and the Duties of his Imployments. As he constantly went to Rest early, so he rose early, and often before the Sun, even in the midst of Summer; Nature exacting very little Sleep of him.

He was frugal and temperate in the common Management of his Fortune, and was an Enemy to all Sort of Luxury and Extravagancy, at a Time when there was a general Encouragement given to it. His usual Garb was of the best; but the Emblem of his Mind, grave, plain, and unaffected; and if he exceeded at any Time his ordinary Method, it was more to suit the Office or Capacity wherein he served, than any Pleasure or Inclination he took in gaudy superficial Embellishments. And yet he was noble and magnificent when Occasion required, where his Publick Character, or the Honour of the Crown, called upon him to be so. In his Embassy, he kept open Table three Days a Week, amply furnished with the choicest Provisions; he had many Gentlemen of Fashion and Distinction in his Train, and his Equipage every Way suitable. And I have been informed from a very good Authority, that he has expended near 206*l.* at one extraordinary Sessions of the Admiralty upon his Return from *Nimeguen*; and every the most ordinary Session was a great and certain Expence to him, which he chearfully bestowed, in order to keep up the Grandeur and Reputation of them. His Embassy at *Cologn* was not only an Expence to him much greater than the Allowance belonging to it; but when the Elector of *Cologn* was reduced to Straits by the Neglect of his Allies, he voluntarily pledged his own private Credit for his Supply, as will appear by the ensuing Collection of Letters.

He was far from overvaluing any of the Appendages of Life, and was even careless to a high Degree of those vulgar and circumstantial Parts of Happiness. And one may judge of the Greatness of his Mind, and how little he followed the Dictates of Ambition, or any narrow and selfish Considerations, *by refusing those bountiful Offers* that had been made him by the Ministers of the Emperor and King of *France*, and other Princes before-mentioned, upon the Conclusion of the Peace. He likewise *refused Presents of Wine* from the Electors of *Cologn* and *Palatine*, during that Treaty, which were accepted by others; and some other extraordinary *Exemptions*, which were offer'd him as Mediator; contenting himself with the usual and establish'd Rights of his Character. With the same Greatness and Generosity he afterwards *refused to accept of the King's Service of Plate*, upon his Return from *Nimeguen*, which in that one Embassy only amounted to 732 Ounces of gilt Plate, 3799 Ounces of white Plate *; and *no prevailing Custom or Usage*, nor *the Example of his Collegues*, or Predecessors, could induce him to accept of them. And I have been told by good Authority, that in the latter End of that Reign, when the Parliament had denied Supplies, and his Majesty was resolved on Methods of Frugality, that

* Vol. II. *pag.* 684.

that Sir *Leoline* generously offer'd to save his Majesty a great Part of the usual Allowance of his Secretary's Office.

As it has been generally observed, that Men of a liberal and vertuous Education, discharge their Imployments with greater Honesty than Men of the World; so it is certain he, of whom I now speak, was free and clear from Corruption in all Degrees, and under all Denominations; that he stood his Ground against every Attack made upon him, and even departed with many of his most legal and accustomed Dues. And as he had not sought his Preferments by any unjustifiable Methods, he seemed resolved not to enrich himself when he was in Possession of them, by any of those Gratifications, which little worldly Minds can hardly forbear. As if he desired, to find no other Advantages but the Glory of serving well, and no other Recompence but the Esteem of good Men.

I have before shewn how impartial he was in the Distribution of Justice, without respect of Persons or Opinions. That he was not only just between Man and Man in all ordinary Cases, but also where his intimate Friend, his Patrons, his Enemy, or his own Interest interfered: For in a Word, he seemed to have loved Justice as his Life, and the Laws as his Inheritance; and acted, as if he always remembred whose Image and Commission he bore, and to whom he was accountable for the Equity of his Decrees.

He was by Nature mild, affable, and courteous, of unaffected Goodness and Benevolence. He would often by a soft perswasive Word dropt from him in the opening or breaking of a Cause, put an End to Suits in an amicable Accord of the Parties, which in themselves perhaps had more ill Nature and Prejudice, than Difficulty; and which otherwise, by the ordinary Forms of Justice, must have been dilatory, and by their Expence might have undone the Parties without his Interposition.

He was so humble in his Carriage and Apprehension of Things, that he was almost beyond Example; and his Behaviour friendly and inoffensive to Inferiors as well as Superiors; without invading any Man's Province, or arrogating the sole Merit to himself, where others were equally concerned with him. So far from any Mixture of Pride and Conceit, that it was hard to say, whether his Knowledge, or his Modesty and Condescension was the greater.

He used to propose his own Sense of Things with a due and decent Distrust, and with a proper Deference to what was suggested by others. He was not offended with any, because they were not of his Mind; or ever abandoned Friendship, Respect, or Decency, in the Prosecution of his Argument; but having fairly and honestly propounded his own Sentiments, let every one Judge for himself, without expressing any Zeal or Eagerness to win them over to his own Opinion. As when his Judgment lead him to oppose his [a] Collegue Dr. *Exton*, in any Matter referred to them jointly, it was not in a peevish, arrogant Air, but in a respectful and obliging Manner, with a proper Distrust of himself, and Deference to his Collegue's great Merit and Experience. And he was of the same candid Behaviour in respect to others from whom he differ'd in Judgment, as may be seen by various Instances in the following Collection [b].

This great Modesty in his Language and Conversation, sometimes made a disadvantageous Impression of him on those, who judged altogether by outward Appearances. And it was *this really which often gave Occasion* to some vain and conceited Persons to rob him of his Merit, and to arrogate more than belonged to themselves. When he first acted in the Commission concerning the Queen Mother's Effects, the *French* Courtiers fell into this Error, and seemed to entertain but a mean Opinion of him, being not a Man of *Finess*, or of that *airy Carriage and Assurance*, so peculiar to Persons of that Nation. One of them more forward and conceited than the rest, asked him, *in what Place or Country he was born?* To which

Sir

[a] Vol. II. p. 700. [b] *Ibid.* p. 765, 7, 781.

Sir *Leoline* answered, *that he was a Cambro-Britain*; but the *Frenchman* being still at a Loss, desired to hear some of the Language of the Place; and the Expression he chose was, *Nid wyth ŷ big mae adnabod Cyffylog*: which is a *Welch* Proverb, signifying, that [*The Goodness of*] *a Woodcock was not to be known by his Bill.* And they soon found themselves mistaken in their Apprehensions of him. It must be owned Sir *Leoline* was not one of those Men, who at first Sight, or at a Distance rather appear best, and can exhibit the whole Experience of their narrow Lives at a single Interview. His good Sense did not lie in a sudden Turn of Wit, but rather in a solid Conception, and a serious Reflexion. He was rather what may be said to be agreeable or desirable, than shining or lively in Conversation, and pleased the Understanding more than the Eye. He was like a Piece of true Architecture, which cannot shew it self perfectly at once, but will bear an agreeable View and Review on all Sides; and the more accurately it is consider'd by a skilful Artist, the more perfect and satisfactory every Time it appears to be. For in a Word, tho' his Deportment had much of a Gentleman, it had more of a Scholar, and most of a Christian.

His Civility did not consist only in Words or courtly Expressions, but he was strictly just in his Words, as well as faithful in his Promises; and had a real Regard wherever he professed it. He was an Enemy to Flattery of any kind, and was uneasy on the first Approaches of it; and it was not without some Sort of Constraint, that he could ever hear the good Opinion or Esteem conceived of him.

If his Majesty was pleased at any Time to commend or approve his Services, Sir *Leoline* received it with the most profound Deference and Respect, always considering himself as his Subject; and that what the best Subjects can do, was no more than their Duty. And was so far from overvaluing his Merit, or thinking that he had obliged his Prince by any of his Services, that he still acknowledged himself the only Debtor [a]; and as he had possess'd his Majesty's Favour by his Prudence, so he used and preserved it with an equal Humility. And whoever reads some of the following Letters, cannot in any wise think that I have strain'd my Panegyrick of him.

He was of so grateful a Temper to every one, that he never failed to express, in the most proper and becoming Manner, the Favours he had received; and tho' the Modesty of his own Person was such, that he had rather confer Obligations, than have them publickly owned; and it was a kind of Violence to his own Nature, to be put in Mind of them again from others; yet he himself went by another Rule, and in this Thing only *he did not do as he would be done by*: For he let slip no Opportunity of shewing his grateful Acknowledgments to those that had in any wise obliged him, or intended so to do; and was uneasy till he had found some proper Methods of extending his Kindness to them.

In his most scanty Circumstances of Life, he had an easy, patient, and contented Mind; and in his greatest Affluence, he had nothing of Pride or Arrogance in his Behaviour. As his first Purposes were to be humble and just, the Possession or Acquisition of Power, which are apt to elevate ordinary Conceits, did not in the least alter his Manners, or make him renounce his old Principles; and he could withstand the Charms of Prosperity, and of an exalted Station, with the same Ease and Resolution as he had formerly done the Storms of Adversity. And after his Advancement behaved with the same Decency, Temper, and Moderation, as in his lowest Parts of Life. As an Instance of this, I may mention, that when Sir *Leoline* once came to visit his own Country, after a long Absence, he was invited by several Gentlemen of the best Rank and Quality, to take up his Quarters at

[a] *Post* p. 296, 317, 320, 324, 331. Vol. II. p. 386, 552, 552.

at their Houses; but he declined all their Offers, and contented himself with a Lodging, tho' a much more homely one, in his Father's own House.

If he was subject to Heat or Passion, (which some have reckoned the common Failing of his Country) it was but in a low Degree, or on some extraordinary Occasions, and utterly void of Malice and Revenge, tho' at Times that he was sufficiently armed both with Power and Opportunity; and never so intemperate as to lose the Command of himself. There have been some Instances of Warmth in the foregoing Account, and it was never more than at the Abuse of Scripture, or serious and sacred Matters by licentious Raillery; but in Matters of Justice, his Passions never had the least Place. And when he opposed any one upon a Publick Account, it was not out of a sowre Temper, or upon any narrow selfish Consideration, but with a perfect Respect and Regard to their Character; without neglecting to do them any friendly Offices, that he could safely perform without Violence to his Conscience, or being guilty of any unjust Compliance.

It must be confessed, that he had as few personal Injuries to forgive as any one almost could have; and as few Adversaries, but those who were so to his Vertue and Integrity; and those only, whose Praises would have been a Reproach; and therefore not so many Opportunities to exercise this peaceable and forgiving Temper. As for those envious Whisperings of discontented and disappointed People, or the little Censures of Ignorance or Malice, which affect most People in an eminent Station; when any such came to his Ears, they were pass'd over with Pity and Contempt, and they could never transport him beyond the Bounds of Civility and good Manners, or extort from him a rude or haughty Return. And however untimely their Intrusion, or ill-grounded their Importunity might be at some particular Seasons, yet he discouraged no Man, at a more proper Conjuncture, from applying to him.

He seemed to have been unacquainted with that false Popularity, to comply with the sudden Humours and Passions of People, whenever so little out of the Road of Truth and Justice. He chose rather to proceed on a more sure Foundation, and to please the worthy and judicious Part of Mankind. And as he had no ambitious Views to pursue, he shunn'd the very Appearance of Popularity, and all the usual Means to obtain it. He did not therefore affect an artificial Harangue, or a pleasing Elocution in his publick Debates, nor always endeavour'd to express his Thoughts in so elegant a Dress, in so exact and regular a Method as perhaps he might have done; as if he thought them impotent Helps to Perswasion, in comparison of the Honesty and Sincerity of one, who utters what he really means. Yet he had a strong and nervous Way of Speaking, his Sentiments were just and apposite to the Occasion; and however they affected in the Delivery, they certainly do in the Reading.

There were some other Things to be taken Notice of in his Conduct, which were doubtless the Effect of a great Prudence, and a sound Judgment.

He had an open, generous Disposition, in declaring his Sense of Things, and of speaking the Truth without Reserve, when properly called upon to do it. And tho' others of a baser Temper, may hold Dissimulation and Disguise to be necessary Maxims of Life, he had too much Candor and Generosity of Mind, to be capable of those little Crafts, and looked upon them with Disgust and Abhorrence. This prudent Quality he was wont to think, besides a Man's own Security, and other Advantages that it had above the Artifices of Deceit, often had this remarkable Consequence, that it would put his Adversaries (who naturally run counter) to a Loss in their Enquiries. Whereas when a Man had once forfeited the Reputation of his Integrity, he would be always suspected, and not believed when he spoke Truth, nor trusted, when perhaps he intended honestly.

And least many useful Notions might be rashly condemned before they were duly consider'd and understood, he made Choice of the most pertinent Times and Seasons to declare his Sense of Things; whether it was in the Case of Publick Grievances and Defects, or fraudulent and undue Practices he had found out; and never failed to suggest what he conceived to be the proper Methods of retrieving or amending them. Many Instances of this kind are to be met with in his Reports to the Privy Council, and other great Officers of the Kingdom [a].

Another Effect of his Prudence was, an habitual Caution and Reserve in all his Conversations. No Man could penetrate into his Secrets before the proper Time, or further than he thought fitting. And tho' he was the most communicative and free in his Sentiments of ordinary Things, especially among his Acquaintance, yet by a very early Experience he had learn'd how to be silent on Occasion, with as much Ease as any Man. He did not think a Man was bound to give the inquisitive and malicious World round about him a Survey of all his Thoughts, but that as Nature had given every one a Right to defend himself, Silence and Reservedness was, he thought, a safe and innocent Defence: Yet where Necessity, or any just Reasons, called upon him, (as I before said) he never failed speaking out with an honest and becoming Freedom. He could not in such Cases be silent with the Peace of his own Mind, much less profess himself what indeed he was not, and had resolved not to be.

How cautious and wary he was in his Office of Secretary of State, many Instances might be given. As when the King was wont to entertain himself in the D. of *P.* Lodgings, Sir *Leoline* always avoided going thither, well knowing, how difficult it was to resist the Enquiries of a Person of that Quality, and of a Temper naturally inquisitive, without losing the Reputation of good Manners. Whereas many other Ministers were glad of such Opportunities to make their Addresses there; but he chose rather to wait without the King's Leisure, and that good-natured Prince, who knew the Man, and would not let his Pleasures interfere with Publick Business, upon the first Notice came out and dispatched him.

Another was, that as M. *Barillon*, the *French* Ambassador, would often intrude upon him with his Visits, either as Expresses or Dispatches were received, or in a Hurry of Business, to pry into them; but with all his Artifices and Dexterity, was never able to draw any Thing of that kind from Sir *Leoline*; which made him often complain to the King, that he could not cultivate any Degree of Confidence or Friendship, (as he call-ed it) with Secretary *Jenkins*.

He was as cautious how he trusted the drawing or transcribing of any Papers of Consequence to inferiour Clerks; most of the Draughts and first Conceits of Things being in his own Hand-writing; or else wrote by one he had approved by a long Experience to be both able and faithful; and of whom he makes this honourable Mention in his last Will.

WHEREAS Owen Wynne, *Doctor of Laws, hath received several great Sums of Money to my Use, not only within the Kingdom of* England, *but also in Parts beyond the Seas, as at* Cologn *and* Nimeguen, *whilst I had the Honour to be there in his late Majesty's Service, and hath given me from Time to Time a just and faithful Account thereof; I do hereby approve of his Accounts, and pass them, and do discharge him of all Debts and Demands whatsoever, to the Time of my Death; and* leave the Disposal of all my Papers, Writings, and Manuscripts, to the said *Dr. O. W. and do depend upon his Care and Fidelity, in placing such of them that shall in any Sort relate to his Majesty's Service, or the Publick, as Papers of State, in the Paper-Office. And* tho' the Secretary of the Embassies, *both of* Cologn *and*

[a] *Post* Vol. I. *p.* 354. Vol. II. *p.* 720, 729, 730, 731, 738, 739, 740, 745, 755.

and Nimeguen, be, by his Place, accountable to his Majesty, *for a faithful and perfect Account of all Letters, Copies, and Papers, that pass'd to and fro in those Embassies, and ought to place them in the said Office ; yet I desire Dr.* W. *to supply all the Defects and Omissions in that kind, so far as it can be done from any of my Papers ; and all Charges incident to the removing, sorting, and placing of my said Papers, I desire my Executors to reimburse him to the full.*

THE near Relation I bore to this Gentleman, won't permit me to mention either his Abilities, his long and faithful Services to the Crown, or indeed to say any more of him, but that he faithfully perform'd Sir *Leoline's* Intention, supplied many Defects and Omissions, and placed them in the Paper-Office under a very exact and methodical Order ; which filled no less than four large Presses, and thereupon obtained his Majesty's Warrant of Approbation *: And I may presume to say, that so large, curious, and useful a Collection, has rarely come from any one Minister of State ; and this also may not be improperly reckoned among the many other Instances of Sir *Leoline's* generous and Publick Spirit.

HAVING thus represented Sir *Leoline's* moral Endowments, from the best Lights and Assistances I have been able to procure, I should now speak of his religious Sentiments ; but the bare Mention of any such Thing may seem a Sort of Paradox ; or one may be apt to think of what *Machiavell* recommends to his Followers, as a Piece of Policy proper for this World ; that is, *by all Means to have the Shadow of Religion, without the Substance.* But the Reader may learn from hence, *that Greatness is not always out of the Road of Goodness* ; and that *a Statesman may, if he will, be constant to his Principles of Vertue and Religion.* And tho' some Things are to be yielded to Place, Time, or Persons, yet that his Compliance *may* be innocent, and such as may well consist with a Christian Integrity.

AND it has been very justly observed by a late polite Writer, that *not only the greatest and wisest Men of all Ages and Countries, were renowned for their Piety and Vertue ; but that even all the Laymen of our own Nation, who have exerted a more than ordinary Genius, and were the Glory of their Times, were Men whose Hopes were filled with Immortality, and who lived in a dutiful Submission to the Doctrines of revealed Religion.* Sir *L. Jenkins* was certainly a Man of excellent Piety and unaffected Devotion. He did not use his Religion as a Cloak, to cover or keep him warm, but was early acquainted with religious Principles and Practices ; and through the whole Course and Tenor of his Life, was a serious, sincere Christian, of a strong and masculine Piety, without any Mixture of Enthusiasm or Superstition, and a hearty Protestant of the Church of *England.* Not that it was meerly owing to his Education and Climate wherein he was born, or because those Principles were instilled into his young unwary Understanding ; (to which the greatest Part of Mankind owe their respective Perswasions in Religion) but as few Men better understood the real and essential Differences, and the just Standard of Religion and Church Affairs, both for Doctrine, Devotion, and Discipline, than himself, and in his riper Years had Opportunities to see and examine it Abroad as well as at Home, thro' all its Shapes and Appearances, and under all Denominations : So upon a mature Judgment, a serious and impartial Information, he was of Opinion, that no Church in every Part of it so exactly suited with his Reason, for the Loyalty of its Principles, the Simplicity of its Doctrines, and the primitive Purity of its Worship, as the Church of *England.*

THIS Judgment of his he visibly express'd, by a constant Attendance some Part of every Day upon the Publick Offices of the Church, even amidst

* Vol. II. p. 92, 3.

amidſt the moſt important Buſineſs of his Life. In his Embaſſies he was as remarkably conſtant to his Hours of Prayer, and an exact Obſerver of all the ſtated Faſts and Feaſts of the Church; and theſe Principles he not only publickly profeſs'd, but practiſed them conſcientiouſly with a uniform unſhaken Zeal.

He never failed to defend the Integrity of this reformed Religion in his Converſations abroad, inſomuch that M. *Courtin*, the *French* Ambaſſador (with whom he lived in a particular Intimacy at *Cologn*) was pleaſed to tell him on ſuch an Occaſion, *that if he had not had abundant Reaſon to know his particular Study and Profeſſion, he ſhould have thought his Converſation had been entirely among the ancient Fathers, and that he ſhould have a better Opinion of the Church of* England *for his Sake.*

He was as great a Lover of the Peace and Unity of the Church; he was far from being bitter or violent againſt thoſe that differ'd from him in any religious Sentiments: Tho' he was in his own Mind a firm and ſtrict Churchman, in Oppoſition to all Sorts of Diſſenters, whether Popiſh or Presbyterians, yet he was not overcome with popular Prejudices, or biaſs'd by the more inconſiderable Matters of Religion, but maintained ſuch a good Temper, and ſo exact a Neutrality, that he was honoured and reſpected by Men of the moſt different Perſwaſions.

The Reader muſt not be ſurprized, if he ſhould find this true Son of the moſt pure, Proteſtant, and Reformed Church in the World, branded with the Name of *Papiſt*, or *Popiſhly affected*, by any lewd Pamphlet of thoſe Times. Popery was the Word of Alarm, and the uſual Artifice to excite the Paſſions of the Populace at that Time. Some of the beſt Miniſters of State, almoſt every honourable and uſeful Part of the Government, and the ſteady Adherents to the Crown, had no other Language and Apellations from the Libellers of thoſe Times; but it was ſuch an extravagant Falſity, that Malice it ſelf, one would think, ſhould have been aſhamed to report it of Sir *Leoline*, who was born and baptized in the Boſom of the Church of *England*, and had taken all the Oaths and Teſts required by Law. Who had been ſo often preſent at the Service of the Church of *England*, and had ever lived in a conformable Profeſſion, and under a ſtrict and reverential Regard to the Conſtitutions of it. His Family all Proteſtants, ſome of them eminent Writers and Ornaments of the Church, and his Pupils (as before-mentioned) brought up by him in the ſtricteſt Proteſtant Inſtitution, at a Time when the Church of *England* was not, at leaſt not able, to countenance or protect him. I ſay to have ſuch a Charge upon Sir *Leoline*, after he had all his Life-time given as much Proof of his Affection and Zeal to the Church of *England* as any one could do, and all poſſible Evidence of his Firmneſs to the reformed Religion, and more than one in a Thouſand ever had the Opportunity to do; the very Accuſation muſt only have redounded to the Honour of the accuſed, by forcing him, as it were, upon new and conſtant Teſtimonies of it. And as an Author of that Time writes of him[a], Sir *Leoline was a Perſon of ſo exemplary and ſo known a Piety and Vertue, of ſuch unwearied Fidelity to his Soveraign, and of ſuch publick Zeal towards Church and State, that it would be a Diſhonour to him to imply ſo much as the Need of a Vindication. Nay,* 'tis ſome Degree of Reputation *for him* (ſays he) *to ſuffer under the Malice of a Regicide, and to have Ink thrown upon him by a Hand that is dipt in the Blood of his Soveraign: Who would not be aſhamed to be well ſpoken of by a Blaſphemer of God and the King?*

However, this was the chief, if not the only Calumny that could then in any Reſpect be invented of him: For I do not reckon thoſe intended by the *Author of the late Hiſtory*, which reſt only upon his ſingle Suggeſtion, and as I before ſaid, without any particular Inſtance, or one Degree of Evi-

[a] Sir *R. L'Eſtrange.* 2 Vol. Obſerv. N° 174.

Evidence to ſupport them. And the great Probity and Sanctity of his Life, not only gained him a particular Eſteem and Veneration among thoſe, whoſe Praiſes do a real Honour where they are beſtow'd, but often forced an open Approbation from them, whoſe Intereſt or particular Self-ends lead them to oppoſe him upon other Accounts. Nay even he (who is ſo injurious to his Memory in other Reſpects) could not but atteſt [a], that *he was a Man of an exemplary Life, and that the Suſpicion of his leaning to Popery was very unjuſt, tho' he was ſet on every Punctilio of the Church* of England, as he a Biſhop of that Church, out of his great Regard to the Conſtitutions of it, thought fit to expreſs himſelf.

He had ſome Reputation as a Caſuiſt, and ſeveral Perſons uſed to appeal to his Judgment for the Reſolution of Caſes of Conſcience, as well as of Law [b]; and if the doubting Perſon was not ſatisfied with his off-hand Diſcourſe, he would give them the Reaſons of his Opinion in Writing: But how tender and ſcrupulous his Conſcience was in Reſpect to himſelf, to mention no other, there is the following remarkable Inſtance: There being at that Time ſome Proclamations for the better Obſervation of *Lent*, and being then indiſpoſed, his Phyſicians adviſed him, that it was neceſſary to eat Fleſh, but could not perſwade him to it: And when his Friend Archbiſhop *Sheldon*, offer'd him his Licence or Diſpenſation, according to the Act of Parliament in that Caſe, he uſed many Arguments and Intreaties before he could perſwade him to accept of it. *This Piece of Obedience* to the Laws and Conſtitutions of his Country, (which were always thought to lay an Obligation on the Conſcience of every one, when rightly eſtabliſh'd, and ſo long as they continued Laws) *was one of thoſe innocent Acts*, that was ſo maliciouſly repreſented by a lewd Pamphlet of thoſe Times. Whether his Reaſons were religious or political, I cannot poſitively ſay; but 'tis certain, he was a moſt ſtrict Obſerver of all the appointed Times of Faſting and Abſtinence. But to ſhow the Impertinency of ſuch a Cenſure, as *if this Abſtinence* had been *meerly Popiſh and Superſtitious*, I need only refer the Reader to the Act of Parliament made in the 5*th* Year of Queen *Elizabeth* [c], and the Reaſons there given for the enjoyning of it.

I muſt confeſs, this is a rare Inſtance of a tender Conſcience, and might be apt to create ſome Suſpicion or Diſtruſt of his Sincerity, but that his whole Life, and the conſtant Tenour of his Actions, was innocent and irreproachable, never ſtained nor ſo much as branded with the Imputation of Vice, or any lewd Compliance with the Times, but even and uniform in the Practice of the brighteſt Vertues, and abounding with numerous and multiplied Acts of Goodneſs and Charity. Had there been any Room for Jealouſy, or the leaſt Circumſtances of Suſpicion, I am perſwaded, they would have been handed down to us, by thoſe inquiſitive Times, in the moſt plauſible Manner. For of all Impoſtures, a religious one is the leaſt ſucceſsful, Nature will peep out and betray herſelf one Time or other. and it would have been impoſſible for him thus to have carried on a whole Life of Hypocriſy and Diſguiſe. To this I may add the Teſtimony of his Collegue, Sir *W. Temple*, in a Letter to the Biſhop of *Wincheſter* [d], who was for a conſiderable Time an Eye-witneſs of his Life and Converſation, and one, that from what has been ſaid, appears not to have been in the leaſt partial to him: Where ſpeaking of that Prelate's Son, he ſays, *the Circumſtance of his being ſo particularly under the Eye of my Lord Ambaſſador* Jenkins [*at* Nimeguen] *will, I doubt not, keep him ſafe from any of thoſe Dangers abroad in Point of Morals, which you ſay he eſcaped at Home, and from which no Place is free.*

This ſtrict and regular Behaviour, and the remarkable Gravity of his Deportment and Habit, (which was conſtantly black) has given Occaſion to

[a] Bp. *Burnet*, p. 481. [b] Vol. II. *pag.* 649, 715. [c] 5 *Eliz.* c. 5. ſec. 39. [d] New Edit. of his Letters in Folio, *pag.* 352.

to some to think that he was in Holy Orders; and the rather, because upon the Death of Archbishop *Sheldon*, (as I before said) a Report strongly obtained that he was to have been advanced to that See;[a] but I cannot be of that Opinion. For upon a Reference to him, whether one in Holy Orders could be a Judge of the Vice-Admiralty, he gave his Opinion in the Negative[b]. Not that he thought his Orders did disqualify him for it, but that in Case a Commission of Oyer should be executed within his Jurisdiction, it would be incumbent on him, as Judge, to pronounce Sentence, and it might happen to be in Cases in Blood, which he thought a Clergyman could not do. Much less therefore can I suppose Sir *Leoline* himself to have been in Orders, having acted so long *as Supream Judge of the Admiralty* of *England*, and consequently *in many Commissions of Oyer and Terminer*. But I have abundant Reason to think, he had entertained such Thoughts in his younger Years, and that he had made Divinity a principal Part of his Studies; whether the Alteration of his Resolution was owing to the low Ebb and unsettled State of the Church at that Time, or the Distresses of the Clergy, does not appear. However, the Church and Clergy had in him a sincere and constant Friend, and a great Example of Piety and Virtue. He was to them a common *Referrée*, and they were glad to submit their Differences to him by Way of Arbitration, without waiting his Decision in a Course of Judicature. They pretended a Sort of Right to appeal to him, and he readily acted in their Behalf the Part of Council or Judge, as Occasion required, but without the Profits that usually attend those Offices. I shall here mention but one Instance of this Kind out of many, and that was between the Bishop and the Dean and Chapter of St. *Asaph*[c], where he composed several old Differences and Animosities, and restored Peace and Unity to that Church.

As he was not ashamed of the publick Exercises of Piety and Devotion, and was vertuous and devout upon no other Ground but his Duty, and the Principles of Reason, so he had a constant Care of Religion, and promoted the Esteem and Practice of it in others by his own Authority; he was ready upon all Occasions to do good Offices for the Advancement of it, or to lend his Assistance to those that happened to fall under Rigours and Severities upon the Account of it. Not to mention the Case of the *French* Protestants in the Year 1681[d], that were driven by a severe Persecution from their own Country, and came into *England* for Shelter and Protection; he not only encouraged them in the Course of his Office, but also bountifully relieved them by his own Purse. I say not to mention this, and some other Instances in the following Collection, there is one that deserves a Place here: And that was, in the Conversion of one *Eve Cohan*, alias *Elizabeth Verboon*, a Woman of Quality of the *Jewish* Nation, who was baptized by the Bishop of St. *Asaph* at St. *Martins* in the Year 1680. When that Bishop gave Sir *Leoline Jenkins*, then Secretary of State, the History of her Conversion, and the Persecution and Severities used towards her by her own People: He, *who had expressed in his whole Life* (says the Author of that Account[e]) *a true and sincere Love to the Christian Religion, and was so great an Ornament to it by the Gravity and Strictness of his Deportment in all his high Employments, not only received the Bishop's Information with that Sence and Goodness which might be expected from him, but also offer'd all the Assistance he could give her in his Office, or at the Council-Board, when the Matter should be brought thither; and was not ashamed to be her Susceptor in Baptism, with those two religious and devout Ladies*, the Countesses of *Thanet* and *Clarendon*.

To this may be justly added the many affectionate and pressing Instances he had made to his Royal Highness, to perswade him to return to the

[a] And in a Libel of *Ferguson's*, he was stiled the presumptive Successor to the See of *Winchester*. [b] Vol. II. *pag.* 703. [c] *pag.* 652 [d] *pag.* 687, 8, 690, 692. [e] in 4^to printed in the same Year, *pag.* 25.

the Communion of the Church of *England* both by Letter and Conversation [a]. Dr. *Parker*'s Letter to Sir *Leoline Jenkins* is already in Print, and the Lord *Clarendon*'s Letters on the same Subject, which I have some Reason to think were published by Sir *Leoline*'s Means, in Order to promote and encourage others in the like Addresses. There is likewise a Letter in the following Collection to his Highness, when he was retired to *Scotland* [b], wrote just after the Debates in the House of Commons, upon the Bill of Exclusion, full of affectionate Expressions and pathetick Arguments, to induce him to forsake the *Roman-Catholick* Religion, but *was no more*, as he therein says, *than what he had often presumed to urge in his private and occasional Conferences with him.*

This is also some Evidence of a true and honest Courage, to attack his Royal Highness so often so warmly in such a nice and tender Point, *and far from inferring such a Weakness or Distrust of his own Judgment*, as Sir *W. Temple* has endeavoured to insinuate; *and sufficient almost in it self to demonstrate, how groundless and unjust the Charge of Popery was upon him.* But to show still further, how distant his Affections were from the Church of *Rome*, I shall mention the Words of his last Will, according to the Practice of the Primitive Christians, declaring in what Faith and Communion he died; and surely at such a Time, there was no need to dissemble either with God or Man, *viz.*

I do declare, that by the Grace of God, I die a Christian, in the Communion of the Church of England, *as it stands established by God's Providence and the Laws in Force, and do believe this Church to be a true and sound Member of Christ's Catholick Church, which he hath purchased with his Blood. Cloath her, O Lord, with a strict and exemplary Holiness in her Priests and People, and maintain her in her Truth, Peace, and Patrimony, to the End of the World.*

Now, it is impossible, I think, to produce a fuller Proof, or a more satisfactory Evidence, to show the Sincerity of any Man's Heart, than has been done in this Case; but there is still another Passage that deserves Remembrance. That Sir *W. Temple* and Sir *L. Jenkins* being together at the *Hague*, after the Conclusion of their Embassy, Sir *William* sent a Message to the Princess of *Orange*, for leave to receive the Communion the next Day in her Chappel. Accordingly her Highness was pleased to give Orders to her Chaplains to make every Thing ready: *For tho' I am perswaded* (says she) *he does not intend it, and by the Morrow will bethink himself of some Business or Excuse; yet my Lord Ambassador* Jenkins, *I doubt not, will be there, tho' he has not sent so formally to me.* Thus remarkable and well known was his Piety and Devotion to that discerning Princess; and it happened exactly according to her Conjectures. This Passage I have often heard spoken of, as well as many others, to the Credit and Honour of Sir *L. Jenkins*, by a Right Reverend Prelate now living, who was at that Time Chaplain to her Royal Highness, and from whose judicious Mouth, I confess to have received the most early and strongest Impressions of his Character.

It must likewise be of some Weight, to inform the Reader, that his Chaplains that attended him in his foreign Employments, and indeed were the frequent Companions of his Leisure Hours, were Dr. *Henry Maurice*, and Dr. *Richard Lucas*, Men both so well known to the World, no less for their eminent Zeal and Affection to the Church of *England*, than for their sound Judgments, the Integrity of their Lives, and their learned and orthodox Writings, and of whom Sir *Leoline* makes a very honourable Mention in his Will, devising *to the one the first Presentation to a good Living, if it became vacant in his Life-time*, as a Recompence of his Service, and a Token

[a] Vol. II. *pag.* 689. [b] *pag.* 690.

Token of his great Merits. To the other, (Dr. *Maurice*) he leaves *fifty Guineas, as a Mark* (says he) *of my Value for him, and for acquitting himself so worthily at* Nimeguen, *tho' he need it not, having nothing in my Power or Disposal that can be in the least answerable to his Merit.*

As the Blessings of God upon Sir *Leoline*'s honest and vertuous Endeavours had been great, so he was not without making a grateful and suitable Return to him, in Acts of Mercy and Charity. Not that he was one of those narrow Tempers, who only propose their Death as the Time to begin them, but he was in many Instances the Overseer of his own Bounty, and the living Witness to see it was rightly and duly bestowed. Many Things of this kind he actually and daily performed while he lived, and many more he hath taken Care of and provided for in his Will.

He was upon all Occasions liberal to Persons of narrow Fortunes, and poor hopeful Scholars, even at Times when his own Incomes were but small. It had been his constant Method for many Years, to set apart some certain Portion of his Revenues for this Purpose. The exact Proportion of it was *then* only known to God and himself. This he look'd upon as a certain Debt due from him, besides the numerous and accidental Charities which he met with, in comforting the hopeless, and relieving the distress'd, in the Course of his Imployments; which was a Perquisite of his Office he most delighted in, and which he thought as real a Charity oftentimes, as any Largess, or Method of Beneficence whatsoever could be. He had himself been educated by Adversities, to a quick Sense of the Struggles and Distresses of others; and had been prepared in his younger Years, by a numerous Train of Accidents, to consider that all Things are subject to Time and Chance; and therefore he condescended to hear the Requests of the meanest Persons; his Favours were not extorted from him by Importunities, Homage, or a long Attendance; they came easily from him, especially to the deserving, and to those that were reduced, not by their Vices, but by their Misfortunes. He needed only to be informed of a proper Object for his Charity, which to him was the most powerful and effectual Sollicitor; and when he thought himself rightly informed of such an one, he would even prevent his Requests, and meet the Petitioner half-way. So that the Manner was as obliging, as the Matter of his Favours, and it was not easy to find out from what unknown Hand the Relief came.

As his secret Distributions were many, his open and publick Benefactions to his own Country, for the Service of Vertue and Religion, were no less; which having been so uprightly administred and conducted, according to the true Intent of their pious Donor, *under the late and present worthy Principals*, as far as I was able to observe in some Years Residence and Acquaintance in the College, I hope they will easily excuse me, if I draw aside the Curtain, and give the following Account of them extracted from his last Will.

In the Tempers of Men there is as great a Variety in Charities, as in other Respects; the same Objects don't make the same Impressions upon all. Some are more sensibly touched one Way, some by another; but Sir *Leoline* has left us such various Examples of Charity, that shew him to have had a very general and extensive Compassion.

The first and principal in his Thoughts, seems to have been the securing the Innocence of Youth, by imparting to them a vertuous Education, and an early Knowledge of Religion. The Place where to bestow this Bounty, or with whom to intrust the Distribution of it, did not cost him much Thought; his pious Regard to the Place of his own Birth and Education, gave them a Sort of Title preferable to all others.

And therefore, having first devised to the Principal Fellows and Scholars of *Jesus-College* in *Oxford*, all his Lands, Tenements, and Hereditaments.

ments, And the Free-School and School-House, with its Appurtenances in *Cowbridge* in the County of *Glamorgan*, which he had purchased, *he first charged* his said Lands with the yearly Payment of 100*l.* for ever to the following Uses, *viz.* to the School-master for the Time being, (to be nominated by the Principal of the College) so long as he doth not undertake any Cure of Souls, but keeps wholly to the Business of the School, 10*l. per Ann.* besides the Use of the said School-House, Orchards, and Appurtenances Rent-free, in Consideration that he teach *gratis* five Scholars, to be known by the Name of Pensioners; and (as a Whet or Encouragement to their Industry and Application) he devised 6*l.* a-piece to the said five Pensioners, to be continued to them for four Years, and no longer: But to have no Allowance made to them for any Time that they shall be absent from School, and the Deductions thereout, to be divided among those that shall be present: The said Pensioners, upon every Vacancy, to be nominated by the Master, and approved of by the Principal. They are not to be admitted, until they be full 12 Years of Age or upwards, nor after they be compleatly 16. To three of the said Pensioners as shall be fit for the College, he devised an Exhibition of 10*l.* a-piece for 4 Years, in case they be not in the mean time elected to a Scholarship or Fellowship of the said House, and provided they be not absent from College above 30 Days, either *continuis* or *diversis diebus*, in one Year, upon any Pretence whatever; the said Allowance to be *de die in diem*, as they shall be present, and have their *victum & cubile* in the College, and attend the publick Prayers and Exercises; but a Deduction is to be made from such as are absent *pro rata*, and to be divided among those that are resident. The Nomination of the said Exhibitioners upon all Vacancies, to be by the Principal for the Time being.

And whereas there may be in the said School other hopeful Youths for their Learning, besides the said five Pensioners, *he appointed* 10*l.* a Year more to the Schoolmaster, for teaching of ten Youths, the most towardly in this School, to be elected by him out of the Town of *Cowbridge*, and the neighbouring Parishes, being the Children of such who are not well able to pay for their Schooling.

The remaining 20*l. per Ann.* of the said 100*l. he bequeathed* to the binding Apprentices, poor Children born in the Parishes of *Llantrissant*, *Llanblethian*, the Town of *Cowbridge*, and the Parish of *Ystrad-Owen*, or the Cloathing old poor People of one of the said three Parishes or Town, at the Discretion of the said Schoolmaster, he first consulting the respective Ministers thereof, but the Determination being left to himself.

Which said Parishes and Town are to have and receive respectively the Benefit of the said 20*l. per Ann.* not a fourth Part yearly, but the whole 20*l.* every fourth Year for ever, in the same Order and Priority as they are herein set down; and the said Schoolmaster to give an Account in Writing, of what he shall so order, Year by Year, to the Principal.

And whereas the Allowance of the Principal of the said College, was not suitable to the Trust and Dignity thereof, *he bequeathed* to him and his Successors 50*l. per Ann.* for ever, out of the Rents and Profits of the Premises, to be paid at such Times as his other Allowance was payable to him by the Statutes and Usage of the College.

And whereas the Allowances of the 16 Fellows and 16 Scholars, together with the Principal's Allowance, by the Statutes and Usage at that Time, and the other Charges necessarily incident to the Government of the College, could not be well raised out of the Revenues thereof, without defalking from the Maintenance of each Fellow and Scholar, or else leaving some of them without Maintenance, and to be honorary only, as they are termed in the Statutes;

To the Intent therefore that the greater Respect might be paid to the pious Memory of all the particular Benefactors, that have founded and endowed any

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Fellowship or Scholarship, in keeping those Places always full, tho' some Endowments happen not to be equal in Value with others, nor proportionable to the Allowances that the other Fellows and Scholars have at present from the College; and to the End there might be no more honorary Fellows or Scholars admitted into the said College, but that all the 16 Fellows and Scholars may equally have and receive their full Stipends, *He did bequeath* out of the said Premises the Sum of 120*l.* a Year for ever, to be added to the Revenue of the College; and that it might be imployed as Part of their proper Revenue and Stock, towards the filling and making up the respective Fellowships 20*l.* a Year, to each and every Fellow, and 10*l.* a Year to each and every Scholar, under the Regulation of the present Statutes, and under the Rules and Conditions prescribed by the particular Founders and Benefactors. If it should happen that their Revenues were sufficient to answer the said Allowances at the Rate of 50*l. per Ann.* to the Principal, and 20*l.* a-piece to each of the Fellows, and of 10*l.* a Year to each Scholar, then the said 120*l. per Ann.* or so much as should remain, to be divided between the said Fellows and Scholars, for an Augmentation of their respective Fellowships and Scholarships; every Scholar having one half of what shall fall to a Fellow for his Share.

And as nothing is more valuable in a Society of Men that follow liberal and pious Studies, than Peace and Concord among themselves, especially in Elections, together with a great Exactness in observing the Will and Intentions of their respective Founders and Benefactors; he did therefore *engage and recommend to them,* before they received any Part of the said 120*l. per Ann.* to fill up all the vacant Fellowships and Scholarships, and to set them forth in a Scheme, to what Diocese, County, Town, Place, or Family, each of them, by the Dispositions of their respective Founders, did, and ought of Right to belong, and (in case it were not perfected in his Life-time) to deliver the same to his Executors under the common Seal, by way of Indenture between them and his Executors; and did request his Executors to get the same approved and confirmed under his Majesty's Letters Patents. In case the said Principal and Fellows did not agree to such Settlement, his Executors were to settle and dispose of the said last mentioned Sum of 120*l.* a Year, (if they thought fit) towards the augmenting the Charities relating to *Cowbridge* School and Poor, or any other Charities, for the better Service of the Church in *Wales*, or for Advancement of Learning in the said College, as to them in their Discretions seem'd most for the Glory of God.

And since it was but too obvious, that the Persons in Holy Orders imployed in his Majesty's Fleets and Plantations, are too few for so great a Charge, he besought his Majesty that he would be pleased to suffer and authorize that two additional Fellowships be new founded and endowed in the said College, with such Allowance and Maintenance as the other Fellows respectively have or might have. And therefore under his Majesty's Leave, he did *devise and bequeath* out of the said Estates, such Salaries and Allowances to the said additional Fellowships, as any of the other 16 have, or may have; and that they should be admitted to all other Advantages, Offices, and Privileges, that by the Statutes or Practice of the College are or may be claimed, by any of the said Fellows already founded and endowed.

And since he owed (under God) all that he was, and all that he had, to the Royal Goodness and Bounty of his late Majesty, and his Majesty that then was; *he humbly besought*, that the first of those Fellows and his Successors, may be known and distinguished by the Name of the Scholar and *Alumnus* of King *Charles* II. the other and his Successors, by the Name of the Scholar and *Alumnus* of King *James* II. and that they may be under an indispensable Obligation to take upon them Holy Orders of Priesthood,

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so soon as by the Constitutions of this Church and the Laws of this Realm they shall be capable of them; and afterwards that they go out to Sea, in his Majesty's Fleet, when they, or either of them, are thereunto summoned by the Lord High Admiral. If they refuse to take Orders, or refuse or delay to obey such Summons, then their Places to be *ipso facto* void, and others to be chosen in their Room, as if they were naturally dead. And in Case there be no Use of their Service at Sea, and they be called by the Lord Bishop of *London* for the Time being, to go into any of his Majesty's foreign Plantations, there to take upon them a Cure of Souls, and exercise the Ministerial Function, under his Lordship's Directions and Obedience; and they refuse or delay to go, then their Place or Places to be declared immediately void, and supply'd by a new Election.

And to the End they may not be without some special Encouragement, in Regard of the extraordinary Obligation and Duty they are to be under: *He further besought his Majesty*, in his Letters Patents of Foundation, to order and direct the said principal Fellows and Scholars for the Time being, to allow them respectively as full Salaries as any other of their Degree, notwithstanding their Absence, so long as they shall be either in the Fleet or Plantations, and be certified by the Lord Admiral and the Lord Bishop of *London* respectively, that they have been in the said Service, and have behaved themselves in all Things as became them. And that his Majesty would be pleased to declare in his said Letters Patents, that during their Absence, they are in *Obsequio Domini Regis*, and consequently intitled to all Benefits and Advantages, as if they had been actually resident in the College. And for their further Encouragement, over and above the Allowance that they are to receive equally with the other Fellows, *He devised* the Sum of 20*l.* a Year a Piece to be paid to the said two additional Fellows, or their Order respectively, while they are & *pro rata* of the Time of their being actually in either of the said Services (due Certificate being first produced to that Effect). But no Person to be chosen full Fellow after the Year of his Probation into either of the said two Fellowships, till he is actually in holy Orders of Priesthood, and that he be a Native of the Diocese of *Landaff*, or St. *Davids*, and that among them, a first Respect be had, *cæteris paribus*, to those bred at *Cowbridge* School.

When the said two Fellowships should be founded and endow'd, *he directed* that then two of the three Exhibitioners from *Cowbridge* School aforementioned should be taken and reputed new additional Scholars of the House, equally with the other sixteen, to all Intents and Purposes; and that the said two additional Fellows, and their Successors, should be chosen out of them preferably to all others, if they be equal with other Candidates.

And whereas the forementioned Estates (when the Charges on them ceased) were not only sufficient to supply all Deficiencies, but to bear a further considerable Charge, *he recommended* to them the settling some Lectures in the College, for the opening and explaining Classical Authors in *Greek* and *Latin* to the under Graduates, and raw Youths that come out of Country Schools in *Wales*, and to assign 15*l.* a Year a Piece to the said two Lecturers.

And whereas the primary Intent of most of the Foundations in the University, is to enable Men to set forth with more Fitness, to do Service in Church or State, and not to continue in Colleges all their Life-times; and the Season most proper, so to fit and enable themselves, is, after the first five Years of their being in the University; *he did recommend* it to the Principal and Fellows, that they would allow to four or five of the said Fellows, eight or ten Pounds a Year a Piece, to be received and enjoy'd by them respectively from and after the precise Time of their being five Years standing in the University; the same to be paid them yearly for

for and during the four Years next, and immediately to follow, and no longer. And the first Fellows that shall enjoy the same, shall be those that are Seniors in the House, and under nine Years standing; so that they shall enjoy the same, till the Time of their being full nine Years standing in the University, and no longer. The said Fellows to be nominated by the Principal and Fellows, or the major Part of them, from among those of the most vertuous and studious Life.

And whereas there was a Chappel of Ease, called *Cappell Tal y garn* in the Parish of *Llantrissant*, very near the Place where he was born, then ruinous and quite out of Repair; *he directed* his Executers to purchase the Scite of the said Chappel, if it were to be got at a reasonable Rate, and to put the same in good Repair; and in Case it could be done, *he further charged* his said Estates with the Payment of 10*l.* a Year for ever, towards maintaining of divine Service in the said Chappel. And *by a Codicil he gave* a Chalice, which he had used during his Embassy at *Nimeguen*, to the perpetual Use of the said Chappel.

He bequeathed a like Sum of 10*l.* a Year for ever, to be paid to the Incumbent of St. *Bennets Pauls-Wharf*, for his better Encouragement in reading daily the Service of the Church, *where he had been a frequent and devout Attendant*, and *in a thankful Remembrance of God's Bounties which he had received in that Place.*

And for the better and perpetual Support of the Charities beforementioned; *He further declared his Will* to be, that the said Principal, Fellows and Scholars, do not at any Time, by taking any Fine or Consideration whatsoever, sink or lower the present yearly Value or Rent, or not above one fourth Part of the same, unless there be an inevitable Necessity so to do, and a Licence in Writing first had from the Right Honourable their Lord Visitor for the Time being, after a just and full Representation of the Case to his Lordship under the College Seal, such Licence expressing the Cause of his granting the same; which yet it's hoped his Lordship will not extend any further or longer than such Necessities shall require: And since the lowering of one fourth Part of the Rent is allowed only in Order to secure the rest, and not to get any Fine or Dividend; *He order'd*, that when they did lower any Part of the Rent, and take a Fine for so doing, that such Fine should not be divided among the Society, but be laid out in purchasing other Lands, in Order to keep up so much as may be, without Defalcation of the present Rents charged with the said charitable Uses, that are intended to last to Perpetuity; but in Case there be any Fine to be taken for the renewing of Leases without lowering the present Rent, such Fines may be divided as usual.

And whereas the Estate, which it hath pleased God to enable him to give or intrust with the College, was so considerable, that it deserved a special Inspection into the Management of it; *He appointed* that the Senior Burser of the College, for the Time being, should have the receiving and issuing out of all the Rents, Profits and Perquisites arising thereby, in the same Manner as he receives and pays the other Estates of the College; and that he receive for so doing the Sum of 8*l.* for his Year of Bursership, provided he digest and place to Account, by Way of Charge and Discharge, all the Receipts and Disbursements that he shall have made within his Year, and make due Entries, not only of the Receipts and Disbursements, but of all Demises, Rentals, and Charges, and of all Defalcations, and Deductions happening within the Compass of his Year of Bursership, *&c.* And to the End it may be better done, the said Accounts, and all other Things incident to them, to be made and kept in Books separate and distinct from all other Account Books of the College: And those Books to be produced when any of his Executors should call for them, or when any Bishop or Archdeacon of *Landaff*, for the Time being (whom he

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did appoint jointly and ſeverally Inſpectors and Auditors of the ſaid Accounts, and Overſeers of his Will, as far forth as any Perſon of the Dioceſs of *Landaff* ſhall be concerned in the due Execution thereof) ſhall deſire to ſee the ſame.

His perſonal Eſtate *he deviſed* to the Archbiſhop of *York*, Biſhop of *Oxford*, Dr. *Lloyd*, Principal of the College, and *Thomas Bedford*, Eſq; whom he made and conſtituted his Executors, in Truſt, that after the Payment of his Debts, Legacies, *&c.* they would diſpoſe the Reſidue thereof, for increaſing or augmenting the Exhibitions, Allowances and Endowments before-mentioned, or for new founding additional Fellowſhips and Scholarſhips, or for any other publick and pious Uſes, in ſuch Manner as in their high Diſcretion ſhould ſeem meet. And in Caſe his Executors, or the Survivers of them, ſhould find, that any Bequeſt, Settlement, or Diſpoſition by him made, was leſs practicable, or might be changed for the better, he gave them full Power to alter and reſettle the ſame, as they ſhould find moſt practicable, or moſt tending to thoſe charitable Ends propoſed by him.

By a *Codicil*, Sir *L. Jenkins* makes theſe *further* remarkable *Bequeſts*. That in Regard he never had an Opportunity to manifeſt how grateful he deſired to be to his Grace Archbiſhop *Sheldon* in his Relations, he gives ſeveral conſiderable Legacies to his Grace's Nephews and Neices, and their reſpective Children and Grand-children; and to the End, that the great and juſt Veneration he had for *his Grace's Memory* might not expire with him, but be in ſome Sort tranſmitted to thoſe that come after, he ordained that out of his Revenues which he had given to the College, the Principal ſhould ſet aſide, and give the Sum of 20*s.* every Year for a Speech in the College Chappel upon every *9th* Day of *November*, in Commemoration of his ſaid Grace, who departed this Life that Day 1677. and that it might be performed with that Decency and Piety, that becomes ſo worthy a Subject, he did appoint that one of the Fellows, being in holy Orders, ſhould make the ſaid Speech. He appointed the like Sum for a Speech in Commemoration of Dr. *Manſell* before-mentioned, whom he ſtiles another of his moſt honoured Patrons, and Predeceſſor in that Headſhip, and the beſt Benefactor the College then had, to be ſpoken on the *1ſt* of *May*, 1665. being the Anniverſary of his Deceaſe.

And not to mention ſeveral conſiderable Legacies and Bequeſts, full of the moſt tender and grateful Expreſſions of thoſe that had entertained him in the late Troubles, to his dear Pupils (as he calls them) Sir *J. Awbrey*, Sir *Ed. Manſell*, &c. and others that had obliged him in the Courſe of his Life; *He moreover deviſes* to the College, the Advouſon and Patronage of the Rectory of *Rotherfield Peppard*, in the County of *Oxford*, to hold the ſame to them, and their Succeſſors for ever. In Truſt and Confidence, that upon every Vacancy ſucceſſively, the Principal for the Time being ſhould be preſented thereto. His Deſign in purchaſing the ſaid Advouſon being meerly for the better Support of the Headſhip.

He likewiſe deviſed to the College, the Patronage and Nomination to the Pariſh Church of *Nutfield* in *Surrey*, for one Turn in three for ever.

To the Society of *Doctors-Commons*, *he gave* 40 Volumes in Folio or 4^to^ of Law, or other Books, to begin their Library, to be choſen by his worthy Friend Dr. *Richard Lloyd*. The reſt of his Books, which were very conſiderable both in Number and Value, and ſuitable to his great Knowledge, he bequeathed to the College, deſiring them to give ſuch of them to *Cowbridge* School, as they ſhould think fit for the Uſe of a Grammar School, and to ſell or diſpoſe of ſuch as were double, or not fit for the Purpoſe of their own Library.

After Sir *Leoline*'s Death, Mr. *Bedford* proved the Will, and took upon him the Execution of the Truſts, (the other Executors confiding wholly

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on his Care and Integrity) and in Consequence of it, there was a Scheme or Establishment made of the several Fellowships and Scholarships in the College, in the Manner directed by the Will; and thereupon the Lands were convey'd to them and their Successors, upon the Uses and Purposes beforementioned: And Mr. *Bedford* having satisfied all the Legacies and Appointments contained in the Will; and there being a Surplus, he pray'd the Directions of the Court of Chancery for the laying of it out in other Lands, which lay commodious to the rest of their Estate.

In pursuance of an Order of Court, Mr. *Bedford* accounted before a Master in *Chancery*, who approved the intended Purchase, *and reported*, that the Estates devised by the Testator Sir *L. Jenkins*, when the Annuities and Charges thereon should cease and determine, were fully enough to satisfy the several Charities, Payments, and Charges contained in the Will.

There were also some *private Charities intended* by the Testator, and left entirely to the Discretion of the said Mr. *Bedford* and Dr. *Wynne*, the Person or Persons being only known to them; but inasmuch as their Place of Abode could not then be discovered, and they had declared, that they conceived 50*l.* would then make good the Testator's Intention; the Master directed, that the Principal and Fellows should pay the said Sum of 50*l.* unto such Person or Persons, for such Use or Uses, or in such a Manner as by the said Mr. *Bedford*, and in case of his Decease, by Dr. *Wynne*, should at any Time be directed and appointed, in Satisfaction of the Testator's said Intention.

The Value of these Lands, upon the said Master's Report, appear to be full 700*l.* a Year, clear of all Deductions, besides Fines, which are to be taken without lowering the yearly Rents. So that he may be justly esteemed a *second Founder* of this College.

These and many other Benefactions Sir *L. Jenkins* perform'd at his Death, as well as in his Life-time, to this Society; as by a pretty large Contribution *to the Building* in the new Quadrangle, on the *West* Side of the College-Hall. *He likewise gave* to the College in his Life-time, the Sine-Cure of *Llandyssil* in the County of *Cardigan*, in Trust, that upon every Vacancy they should present to it the Principal for the Time being. And to this, I think, I may not improperly add, the Donation of the Rectory of *Furtho* in the County of *Northampton*, given to the College by one Mr. *Arnold*; for the Donor says it was upon this remarkable Consideration, *out of the Respect* he bore to *Learning*, and to the University of *Oxford*, and *as a particular Mark of the Esteem* and Friendship he had of a long Time had for Sir *L. Jenkins* Knt. Judge of the Admiralty, and Prerogative Courts, and lately *Principal* of *Jesus-College*. And *how much more* might Sir *Leoline* have done, if he had not had the Philosophy to despise many Advantages thrown in his Way, and if he had consider'd only his own personal Gratifications, and private Self-Ends.

His Estate in some measure proves his Integrity, and how little he had set his Mind upon the heaping up of Riches; which, considering that he was at one Time Tutor to many Persons of great Estate and Quality for about 15 Years; that he was very early joined in Commission with Dr. *Exton*; that he was afterwards sole Judge of the Court of Admiralty for about 21 Years, and at the most profitable Seasons; and Judge of the Prerogative Court for about 17 Years; the Foreign Imployments he had undergone at *France*, *Cologn*, and *Nimeguen*; and of Principal Secretary of State for the Space of four Years: I say, considering all these Imployments, which he had almost all at one Time, and some others of lesser Value, and his constant moderate Way of Living, the Estate he has left behind him was but small; and I hope, I have in some measure shewn, how much even of that, while living, he bestowed upon worthy and generous Purposes, and that it was not in the least canker'd with the Acquisitions of Fraud, Injustice, or Extortion.

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HAVING thus far pursued Sir *L. Jenkins* in the publick Parts of his Life, nothing remains, but to speak of his private and domestick Circumstances: And of this I have very little to add, for he was, as I have before shewn, almost wholly devoted to the Publick.

HE had only one Brother, named *Evan Jenkins*, and there is one Particular concerning him, which I have heard from good Authority, which ought not to be omitted; that when Sir *Leoline* was Secretary of State, some of his Countrymen put him in Mind of an Employment for his Brother. Sir *Leoline* answer'd, that *Providence had sufficiently enabled him to provide for him himself, without burthening the Publick with his Relations, and in a Method of Life more fitted to his Capacity and Temper.* And in Fact, did decently and liberally maintain him while he lived, and at his Death left him a Rent-charge of 100*l. per Ann.* and to the Heirs of his Body begotten; and a like Rent-charge of 30*l. per Ann.* to his said Brother's Wife; who, I think, is still alive, and enjoys the Benefit of it; but his Brother dying without Issue, his Rent-charge is fallen to the College, to whom he had given the rest of his Estate, in Charities and Benefactions worthy of him.

THERE were two Relations of Life to which Sir *Leoline* was a Stranger, to wit, that of a Father and Husband; and consequently he had no Opportunity to exercise the Vertues more particularly eminent in those Circumstances of Life; unless the being a Father to the Friendless, and a common Guardian (as it were) to the Orphan and Widow, may be reckoned to bear some Analogy to them; and in these Respects also, he was of an unspotted and irreproachable Reputation.

HOW kind and tender a Master Sir *Leoline* was, has already in some measure appeared by his last Injunctions; but was no less visible in the Acts of Kindness to them, while in perfect Health. Besides, one that was of so tender and compassionate a Nature, of universal Benevolence to the rest of Mankind, and so easy to be made a Friend of, cannot be presumed to have been otherwise to those under his own Roof, who daily did him real and actual Service. And in Truth, he was not only a kind and indulgent Master to all his Domesticks in every Degree, but as their Morality and Behaviour recommended them to him, he treated them rather with the Affection of a Friend, or of an Equal, than with the Air and Distance of a Master; and consider'd them at Home as of the same Nature with himself, tho' the Policy of Men had thought it necessary to make a Distinction, and in Publick to affix Measures of Distance between them.

THO' he had no Issue of his Body, yet those of his Mind were many; but nothing that I know of has appeared in Publick under his Name, excepting the single Letter abovementioned, prefixed to Dr. *Parker*'s Discourse. Mr. *Wood* in his *Athenæ Oxon.* besides that, ascribes to him a Collection of Debates in the House of Commons, at the Parliament held at *Westminster*, *October* 21. 1680; but for the Reasons before given, I may venture to pronounce it not published either by Sir *Leoline* himself, or by his Privity and Direction. If we consider the active and busy Part of his Life, with what Diligence and Application of Mind he dispatched the Matters that came under his Care; if we consider the Variety of his Imployments, which by his great Industry he prevented interfering with one another, and the long Attendance which some of them required, we may wonder how Sir *Leoline* could possibly find Time for them; but much less for Composition, or any other Exercise of the Mind; and yet even in them he imploy'd a great deal, when he was disengaged from Publick Affairs, and continued his Study and Reading to the last. And if we consider the publick Letters or Dispatches of his Embassies, his numerous and elaborate Reports to the Lord Chancellor, Treasurer, Privy Council, *&c.* on the most considerable Cases and Incidents of his Time, his Arguments on various Occasions, his

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instructive Charges at the Sessions of Oyer and Terminer for the Admiralty, and to the Clergy at his Visitations; and if these and others of this kind were duly digested and published, he might be reckoned no inconsiderable Author. Some of them are here presented to the Reader, which were most suitable to my present Design.

AND, as far as my weak Judgment does enable me to think of them, they are wrote in a clear masculine Stile, in the most expressive and significant Manner, that the Matter or Nature of the Things will bear, in the full Strength of the *English* Diction, and not inferiour to the polite Time in which he lived. Few Compositions of the kind are more elaborate, or apposite to the Occasion. And they discover a great Variety of Reading and Observation, as well as an able Judgment and a sound Reflexion.

AS to his Foreign Letters, which make so great a Part of this Collection, they are modest and simple in the Expression, free from Affectation, and all trifling Ornaments, or superfluous Words, yet solid and judicious, full of curious Facts and Circumstances, and described in such a clear and perfect Manner, that the Minister who received them might be able to know the true State of Things as distinctly as if he had been upon the Place himself. I say not this in the least to anticipate the Reader, but desire he will judge and determine for himself from the ensuing Collection.

The Epitaph of Sir *Leoline Jenkins*, in the *Area* of *Jesus-College* Chappel in *Oxford*.

Depositum
Illustrissimi Viri Domini LEOLINI JENKINS,
L. L. Doctoris, & Equitis Aurati,
Admiralitatis Angliæ, *& Curiæ Prerogativæ* Cantuariensis *Judicis;*
Et Serenissimæ Regiæ Majestati à sanctioribus Consiliis.
Ille Lantrissantia Silurum honestâ familiâ natus,
Literis a prima juventute liberalitèr imbutus,
Et Collegio JESU, *in Universitate* Oxoniensi *admotus,*
Egregia illic edidit optimæ indolis specimina:
Donec ob fidem Regi præstitam, Democraticorum furoribus proscriptus,
Solum vertere, & in Galliam *secedere cogeretur.*
Academiâ vero una cum Principe restitutâ,
Collegii JESU *Socius, mox Præfectus renunciabatur.*
Deinde Legationes crebras, Augustissimi Regis Caroli *nomine,*
Feliciter administravit.
Primùm ad Regem Galliarum *missus,*
Postea Coloniæ, *nec non* Neomagi, *pacis* Europæ *sequester,*
Finitimorum undique Principum bella sopivit:
Nec minus domi quàm foris utilis,
Secretarius Statûs Primarius,
Conjuratorum per Angliam *molimina*
Vigiliis suis detexit, consiliis dissipavit.
Demum missione honorificâ ab indulgentissimo Principe donatus,
Secessum petiit, ut Deo & Æternitati unicè vacaret;
Viribusq; quas in publica commoda impenderat, exhaustis;
Et morbo diutino confectus,
Sanctissimam Animam Deo reddidit
Sept. 1. *Anno* M.DC.LXXXV. *Ætat.* LXII.
Tumulum sortitus, ubi prima Literarum tyrocinia posuit,
Eo in Collegio, quod vivus patrocinio fovit,
Moriens vero hæredem scripsit,
Et tantùm non denuò fundavit.

To

A Charge of Dr. Jenkins, *to the Clergy of the Diocese of* Canterbury, *at his Visitation.*

My Reverend Fathers, and good Friends,



HAVING the Honour to be appointed Commissary by my Lord of *Canterbury*, and to be substituted Official of the Archdeaconry; my Lord has given me some Things in Charge to recommend to the Clergy of both Jurisdictions. For as his Grace's Care and Vigilance for the Church in general are very great, so his Concern for this Diocese is so much the more pressing, as it is a more peculiar Part of his Pastoral Charge.

'Tis with Grief that my Lord makes this Observation, and it is as obvious to every considering Man, that 'tis one of the sad black lasting Effects of the late Confusions, that on the one Side, Prophaneness, Irreligion, and open Atheism; on the other, Popish Superstitions, Heresies, Schisms, and wild Fanatick Opinions of all Sorts, have taken their Growth and Advantages; nay, have their Batteries so strongly against the Church, that there must be a more than ordinary Application on all Hands by her Sons, especially her Ministers, to prevent the overspreading of such Gangrenes, least they once more produce the Devastation and Extinction of the Church.

As to the Temporal Laws and civil Constitution of this Kingdom, I shall say no more at present, but bless and adore that merciful Providence that hath restored them, as the main Fence against Rebellion and Confusion; and pray, that they may be duly, conscientiously, and courageously put in Execution, for the Honour and Safety of the King, for the Peace and good Order of all his Subjects.

As for the Ecclesiastical Laws, I intend to offer you a Word or two, in order to shew, that they are the King's Laws, as well as those of Civil Constitution; and consequently are to be observed under the same Pain and Danger, which the Holy Scripture denounces against those, that are disobedient to the higher Powers.

To prove that our Ecclesiastical Canons and Constitutions have the Sanction of Royal Authority, I need only cite the Statute of the 25 *Hen.* VIII. and all Ecclesiastical Constitutions made by the Clergy since that Time, have been under the King's Authority; and therefore not to own such legal Constitutions to bind our Consciences, would not only be derogatory to his Prerogative, but also a flat Contradiction to that supream Authority, which is so often attributed to the King in Causes Ecclesiastical.

THERE is a Sort of Men, whose Tenderness of Conscience (as they say) will not allow them to own our Ecclesiastical Constitutions, tho' authorised by the King, because they find them not in Holy Scripture; but I fear the true and only Cause is, because they are not of their own making. 'Tis sufficient for us, that wherever our Saviour thought fit to plant his holy Religion, there he fenced it with Power and Jurisdiction. Not but that the Church of *England* most readily acknowledges, she hath no Power derived unto her directly and immediately from him, but what is purely spiritual. I mean the Power of binding and losing by spiritual Censures, and of a spiritual Effect and Consideration. Whatever Appendages there are to Ecclesiastical Jurisdictions, that are coercive, or penal upon the Body or Estate, that the Church derives from the special Grace and Wisdom of our Kings; who being by their Office Nursing Fathers of the Church, had observed, that the spiritual Methods of the Church against sensual and perverse Offenders, were often despised as Corrections of no visible Effect and Impression, unless the Secular Arm were stretch'd out, and the Royal Power imployed to maintain the Honour of Religion, and the Injunctions of the Church.

WHATEVER then there is of divine Authority in the Episcopal Jurisdiction, it is purely spiritual; whatever Advantages the Wisdom of pious Princes and Governours have thought expedient for the better Management and Execution of that Jurisdiction, are Additions from the Civil Power, and upon that Account ought to be so acknowledged and revered by all good Subjects and good Christians.

AND yet there are some among us that have entered into a *solemn League and Covenant* to extirpate and destroy the Episcopal Order and Jurisdiction. And there are still those, whose Consciences (as they say) will not give them Leave to confess and declare this Covenant to be unlawful, and imposed upon the Subject against the known Laws and Liberties of this Kingdom.

BUT if it be an unlawful Oath, (as it certainly is) it binds to nothing but Repentance, as the Prophet *David* hath stated the Case of Conscience, when he had sworn to be the Death of *Nabal*. For all he did in Prosecution of his Oath was, to repent and glorifie GOD, who had prevented him in his intended Mischief.

THAT the Covenant was in it self unlawful, I will endeavour to shew by one familiar parallel. Suppose in this loyal City, some of the Aldermen and Commonalty should draw up a grievous Charge against some others of them, would it not be hard measure to seize and confiscate their Estates, to prosecute and destroy their Persons as Outlaws, upon a bare Charge and Surmise of Male-Administration, without bringing them to a

lawful Trial, where they might have the Benefit of a fair Defence? Yet this was the Case of the Bishops. Every Bishop, every Dignitary, that had either Promotion or Jurisdiction, was deprived of that which the Law reputes his Free-hold, without being questioned by due Course of Law, for any one Offence so much as pretended to be committed by them, against the known Laws of the Land. But the true Reason was, that their rebellious and sacrilegious Appetites could not be satisfied without such a Morsel.

The most mortal and secret Venom of all, lay in that Clause of the Covenant that concerns the King; wherein they promised to defend his Majesty in the Preservation of the *True* Religion; that is, they were to be the Judges which was the true Religion, and it was in their Breasts to determine how far the King did preserve it; and consequently were to inch out to him their Allegiance, not by the Rule or Standard of Scripture, and the Proportion of the Primitive Christians, but just as they fancied that the King did patronize their schismatical Perswasions. Whereas the Apostles and their Successors, in the first Ages of the Church, used no such Limitation or Reserve in their Allegiance, to the most brutal and bloody of the Heathen Emperors.

How can any one therefore imagine that Covenant to be lawful, or in any Sense excusable, that was made the Engine to Rebellion; that was by the King's Proclamations, and by the Declarations of that loyal and sober Part of the Nobility and Gentry assembled at *Oxford*, pronounced to be a treasonable and seditious Invention; and was since order'd by the freest and fullest Parliament that *England* ever saw, to be burnt by the common Hangman; that was the Colour to invade the Patrimony, to confound the Order, and oppugn the Doctrine of the Church, and to devour that without Law or Precedent, which, besides the Protection of *Magna Charta*, was tied to the Church under the most solemn Execrations.

But leaving that fatal Oath, where the Order of Parliament most justly brought it, I shall address my self first to you *Gentlemen of the Clergy*, and shall offer you some Account of what the Canons of the Church *at this Time* does most pressingly require at your Hands. The general Lines of your Duty I shall not insist upon, considering my self as one who ought rather to learn those Things from you.

1. You are bound, in your Sermons and Lectures, to assert and vindicate the *King's Supremacy*, and to remonstrate to your Auditors, that whatever Right, Power, and Authority, the ancient godly Princes had among the *Jews*, or the Christian Emperors in the Primitive Church, the same hath our Soveraign Lord the King over all Persons and Estates of Men, and in all Causes, as well Ecclesiastical as Civil, within this and other his Majesty's Dominions.

2. You are to provide your selves of a *Book of Canons*, to read to your Cure once a Year; which Duty you must look upon at this Time as more than ordinarily necessary, in Regard that People may learn from those Canons, how dangerous it is to oppugn or despise the Doctrines, the Publick Worship, or Government of the Church; and how deeply they incur the Censures of the Church, who do either frequent, abet, or justifie any unlawful Conventicles or Assemblies.

There is another Thing which I most earnestly recommend to you, partly as the best Antidote and Preservative against the Irreligion and wild Opinions now reigning among us; partly as a noble Instance of your Charity and Condescension towards those that most need your Help, and of your Submission to the Wisdom of the Church; that is, that you apply your selves to the *Catechising of Youth* every *Sunday* in the Afternoon: This the Canons enjoin most expresly, this my Lord's Grace recommends most earnestly, and of the doing of this, or neglecting of it, I must and shall take Account most impartially.

The Church has prepared an excellent Form to your Hands, wherein you are to instruct and examine the younger and more ignorant Sort of People; and I will not be so injurious as to think, that any here want either Reason or Conviction to perswade him, that it is a Duty indispensably necessary. If we consider who they were that first fell away from the Church, and were given over to strong Delusions, and *carried away with every Wind of Doctrine*, we shall find them to be such as had been never taught the first Principles, and the true Grounds of our Religion. On the other Side, let us consider how Papists, Presbyterians, and Anabaptists, came to be so firmly rooted in their Opinions, and to increase in the Numbers of their Proselytes; they do not preach as publickly as you do, at least not so frequently; and I am sure not so well by many degrees, as even the Generality of you do, either to the convincing of the Understanding, or prevailing upon the Affections. I can give no Reason for it, (and would gladly learn the true Reason from any Man here) but that first their Teachers live regularly and strictly, mingle sparingly with the Men and Business of the World, so as to give no Scandal to those that are without; and so far they are richly worth our Imitation. 2. They instruct their Followers most diligently in the Grounds of their Opi-

Opinion; they shew them the pretended Beauties and Advantages of their Perswasions, not so much by general Discourses, as by private Applications. So that take their Disciples and our Novices, and compare their Proficiency together, theirs, I am sorry to say it, but so it is, can give infinitely a better Account than ours. Theirs, tho' but of very ordinary Talents and Capacities, are full grown Men in their Tenets, can dispute of the highest Points; and ours (tho' as ripe and forward as they in other Respects) do seem but very Babes, even in those Matters which most nearly concern their Salvation.

This, Gentlemen, is the visible Fruit, the undeniable Effect of Catechising; especially where the Teacher, by way of Comment, is pleased to familiarise himself to the meanest Capacity. May we live to see the like Methods of a winning Condescention, a charitable Converse and Familiarity used among our selves, and we may boldly expect far more excellent Fruits, and far more glorious Effects, than any of those Separatists now enjoy. In a Word, Sirs, if you would have a Church of Men, you must set up for a Church of Children; and that you cannot expect to obtain, but by this Method; for I dare appeal to every one's Observation here, whether they have found any Thing, next to the preventing, assisting, and restraining Grace of God, that has kept us from running into false and erroneous Opinions, so steadily, so effectually, as the early Prepossession of our Church Catechism, and the Care and Example of our Parents recommending it unto us.

Another Thing which I have in special Charge from my Lord to recommend unto you is, that you would daily use the *Liturgy of the Church* with all possible Devotion and Solemnity, in all its Offices, and at all the appointed Times; not presuming to curtail any Part of it in Favour of your own Inventions, or upon any other Occasion whatsoever. There are many Arguments to induce Men to have a special Regard for our Liturgy, and to value it as a principal Part of that Sacrifice, which the Church offers in the House of God. I shall forbear to tell you of the Clergy, how excellent the Composition is, how devout and humble the Confessions, how grave and divine the Absolutions, how pathetick and comprehensive the Prayers and Supplications, how sweet and exalted the Hymns and Thanksgivings, how charitable and compassionate the Intercessions for all Sorts of Men; in a Word, how excellent and divine the Matter, the Method, and the Decorum of the whole Liturgy is. So that neither *Rome* nor *Muscovy*, *Osburgh* nor *Amsterdam*, have any Thing in their Publick Services, that can enter into comparison with it. And as I do but glance upon the Excellency of it, (which would afford an endless Theam) so I shall speak very little of the Merit and Fate of it, which ought surely in some measure to enhance our Value of it: So true a Friend, (as I may term it) and so constant a Martyr of our Church and Religion. It has undergone the Fate of the great Catholick Verities, it has been crucified between Thieves, upon the Right Hand and upon the Left, as all the Articles of our *Nicene* Creed have been. And we have not yet forgotten, that it had the Honour to fall by the very same Hands as the Church and Monarchy it self.

These two Things, especially of *Catechising*, and *using the Liturgy* solemnly and devoutly, without Omission or Variation from the Directions of the Church, being duly put in Execution; you will, I doubt not, soon perceive the edifying of your Flock, the Satisfaction of your Diocesan, and the Joy of your own Souls.

I hope I need not mind you of the Reverence and Devotion that becomes you in administring the Holy Sacraments; the Diligence and Charity incumbent on you in visiting of the Sick; a holy, sober, meek, and exemplary Life, and a Separation from the World, are Things that every one knows to be so much your Duty, that I shall say nothing of them; and your own Reading, Meditation, and Conscience, are able to furnish you with proper Motives to them. You have Arguments on all Hands, and if the very Adversaries of the Church do make so much Advantage among their ignorant Auditors, of a little sullen Reservedness, and a few negative Vertues, how much greater Advantages will the Beauties of a truly godly, righteous, and sober Life afford you?

As for you that are *Schoolmasters*, I must heartily recommend unto you, to have a Care that your Scholars profit in Religion and Morality, as well as in the Rudiments that are commonly taught by you. To that End, Gentlemen, you are enjoin'd to bring them upon *Sundays* and Holy-Days, or at all convenient Times, to attend Divine Service, and to see that they behave themselves quietly and reverently, and to require of them some little Account of what they have heard there. You must likewise be very vigilant to prevent, as well as to punish, all Cursing and Swearing among them, remembring always, how easily evil Habits are contracted, and how long they are retained. You must also be careful that they use civil Language, and a respectful, submissive Deportment towards their Parents, and all other Persons of Age and Authority.

As for you that are *Church-Wardens*, tho' we are not yet provided of a Book,

 that

that may direct you to make a true and exact Presentment of what is fitting for your Ordinary to be inform'd of, yet I shall touch at two or three Branches of your Duty, which most require your Care and Attendance.

First, You are to see, that your Church be provided of the *Holy Bible*, a *Book of Common-Prayer*, (as set forth by Authority of this last Session of Parliament) and of a *Book of Homilies and Canons*, hoping, that your Minister will at all seasonable Times make the proper Use of them as Authority directs. Nor must you forget *a Register of Parchment*, for all Christenings, Marriages, and Burials. The Canons likewise require a *poor Man's Box*, which I am afraid the Coldness of Charity in this Age hath so often taught us to pass by, that it is now commonly look'd upon as a Thing quite out of Use.

But in a special manner, Gentlemen, I must require you to provide for the *Reparation* of your Churches, and for the keeping of them decently and cleanly. There is an excellent Homily upon this Subject, whereto I shall refer you; hoping, that you will be prevailed on by that and other Motives to this good and pious Work, so as to take off that Objection which our Adversaries of *Rome* lay to our Charge; I mean, that our Religion is cheap and slovenly; and that *Moors* and *Mahometans* may not one Day rise up in Judgment against us, since they are at more Care and Expence with the Ministers and Temples of Idolatry, than we can afford for the Honour and Service of the True God.

The *last* Thing, Gentlemen, that I shall exhort you to, is to see diligently (as the Canon requires) that your Parishioners resort to Church, and that they continue in Postures of Reverence and Devotion all the Time of Divine Service. And for those that you shall take Notice frequently to absent, you ought in Charity to intreat and advise them not to neglect or contemn the Service of God, and the Laws of the Land, upon any Account. And if they slight this friendly Admonition of yours, you must Present them, that they may be proceeded against according to the Laws in Force.

Thus have I briefly touched upon the chief Parts of your Duty; and what need have I to do more to Men so well apprized of it already; and who will, I doubt not, duly and carefully perform the Engagements of it; and I should not have said so much, but that I was expresly commanded by my Lord your Diocesan. The very proposing of these Things carry so much Weight and Conviction with them, that to press them further might seem in some measure to imply, that either the Authority of them is not so strong, or the Injunctions not so reasonable, as they really are.

If then you have any Sense of the Progress of Atheism, Irreligion, and Schism; if any Zeal for the Church, the King, or your Country; or any Regard to the Directions and Injunctions of your worthy Diocesan; if you have any Desire to heal and unite our unhappy Divisions, or any Consideration for the Concerns of this World, or of that which is to come; let every one forthwith apply himself, with the utmost Care and Industry, to the Discharge of his Duty; let him walk worthy of his holy Profession, and adorn the Station to which he belongs; and let his *Light so shine before others, that they seeing his good Example, may also be induced to glorifie God.*

Dr. Jenkins's *Argument, in Behalf of a Bill to ascertain the Jurisdiction of the Admiralty, in the House of Lords.*

My Lords,

It is with the greatest Disadvantage imaginable, that I do appear before your Lordships, since it is expected that I should support a Bill, which my Lord Chief Justice *Vaughan* has represented to be against the Common Law, and a flat Contradiction to several Statutes; for I have not only the infinite Want of his Learning, Reason, and Experience, but I am to go out of my own Profession; I am to expect no Aids from the Civil Law, but am to make out what I shall offer to your Lordships, by the peculiar Law and Practice of this Kingdom.

However, since his Royal Highness expects, and your Lordships are pleased to command, that I should lay before you what I have to say; I shall do it with all Submission possible to your Lordships, and with that Deference which I owe to the Person and Judgment of my Lord Chief Justice.

My Lord Chief Justice was pleased to begin his Argument with three Statutes; I shall not need to recite or repeat them, your Lordships, I doubt not, remembring the Words and Purport of them very exactly. But I must crave Leave to speak to that which was observed upon them.

The learned Chief Justice was pleased to say, that they were the Foundation of the Admiral's Jurisdiction; but, with Submission to his Lordship, I do conceive the Jurisdiction of the Admiral was founded long before. For those Statutes imply not only,

only, that there was such an Officer, but that he had such a Jurisdiction, in *Edw.* III. Time, *long before this Statute*, intending no more but to reduce him to that Standard.

That there was such an Officer in *Ed.* III. Time, having a Jurisdiction in maritime Causes, I will produce to your Lordships a Copy of a Roll in the *Tower*; 'tis the Patent of *Robert de Herle*, wherein, 1. He has his Jurisdiction set out to him as to certain Causes that is maritime. 2. Over certain Persons, *viz.* Seafaring Men. 3. His Law, whereby he is to govern himself, *prout de jure & juxta legem maritimam*; which we say, are the Laws of *Oleron*, the Constitutions of the Admiralty, and the *Imperial* Civil Law.

In the 12 *Ed.* III. there is another Roll, *de articulis super quibus*, &c. 1. For the carrying on of the Proceedings, and re-establishing that Judicature, that his Grandfather *Ed.* I. and his Council had ordained, for the Preservation of his Soveraignty and Admiralty in the Seas. 2. The interpreting, declaring, and asserting those Laws, which his Predecessors had made for Seafaring Men; which Laws (says the Record) were corrected and published by *Rich.* I. coming from the Holy Land.

There is a *Third* Record mentioned in my Lord *Coke* and Mr. *Selden*, *de Superioritate Maris*, which imports *at least* these two Things.

1. That there were then (22 *Ed.* I.) Maritime Laws, Statutes, and Ordinances, and Defences in being.

2. That the Admiral had then all manner of Cognisance, *haut & basse Justice*, upon all Facts that might appertain to the Soveraignty of the Seas.

This Record has the Countenance of 22 *Ed.* I. 22 *Ed.* II. which was 1294; and the 13 *Ric.* II. which was *Anno* 1389.

That which I conceive is a natural Inference from these three Records put together is, 1. That the Admiral was then in Possession of a Jurisdiction over maritime Persons, and in maritime Causes, and that he had all Power and Coercion, nay, of Life and Limb, within his Jurisdiction; for so the Words *haut Justice* does imply, and it continued in him till the 28*th* of *Hen.* VIII.

2. That the Causes we humbly contend for, are so many Species of maritime Causes, tho' they may have some Circumstances in them done upon the Land, and are so reputed by all Nations; and are every where adjudged, not by the municipal or ordinary Law of the Land, but by a Law peculiarly adapted to the Nature of those Causes. Causes, My Lords, I say, which have no Rules for them in the Common Laws, but have been always adjudged in the Admiralty Courts as properly belonging to that Jurisdiction.

3. That these Statutes are capable of an Interpretation, that may preserve to the Common Law all its just Pretensions, and yet leave the Admiral in Possession of all these Causes which are properly his, and which he desires may be declared to be his Right.

I hope, My Lords, I may take Leave to measure maritime Causes, by the same Rules and Reasons that we do other distinct Classes and Species of Causes; the *meer Locality* does not make a Cause maritime, but the Analogy that this Species has with others: For it was observed yesterday, that the sealing of a Bond or Lease *super altum mare*, would not make it cognisable in the Admiralty; I submit it to your Lordships then, whether the sealing of a *Charter-Party* to go from *London* to *Lisbon*, can make the Cause a Land Cause; since the main Scope of the Charter-Party is to be performed on the Sea, and nothing of the Undertaker's Business is to be performed upon the Land; and therefore by a Parity of Reason, that Case ought to be cognisable in the Admiralty, and not at Common Law.

So that it is the Law only that makes the Provision, and is decisive in the Case, and is to determine whether the Cause be maritime or not. And if it be enquired, whether there be a Breach of Charter-Party, by not coming in due time to the Port designed, by taking a wrong Course, or by not delivering and keeping the Goods, be a maritime Cause; we say, with Submission, that it is, because the maritime Law does determine when any Thing of Fault or Neglect shall be imputed to the Master, or when he shall be excused, as in irresistable Casualties. And the Admiral being a *Judex ordinarius*, (as *Bracton* calls such as have their Jurisdictions fix'd, perpetual, and natural) for 100 Years before this Statute; it shall not be intended to restrain him any further than the Words do necessarily and unavoidably import.

For Instance, the Statutes say, that the Admiral shall intermeddle only with Things done upon the Sea; it will be too hard a Construction to remove him further, and to keep him only *super altum mare*; if he had Jurisdiction before in Havens, Ports, and Creeks, he shall have it still; because all Derogations from an antecedent Right are odious, and ought to be strictly taken.

Besides, when a Law is made upon some emergent impulsive Cause, the Lawgiver shall not be understood to make further Provision than for that Cause; nor to redress any

any more than the particular Mischiefs complained of. I shall therefore enquire what those Mischiefs were that occasioned this Statute.

*Prient les communes que comme les Admiraux, & leur deputez teignent leur Sessions in diverses places dans le Royaume, si bien dans franchises come dehors, accroachants à eux plus grand pouvoirs qu'a leur office appartient, au prejudice de nôtre Seigneur le Roy, & de la comon ley, & grande emblemissement de divers franchises, & en empoverissement du common peuple, que pleise ordeiner & établir leur pouvoir en cet present parliment, qu'ils ne se meslent, n'empreignent sur eux connoisance de nulles contracts, covenants, regrateries, ny de autres choses, les quels devoient, ou pourroient estre terminez devant autres juges de nôtre Seigneur le Roy, dans les quatre mers d'*Angleterre.

Le Roy veute, que les Admiraux & leur deputez ne se meslent de null chose faite dans le Royaume, mes solement de chose fait sur le Mer, selon ce que a este duement use en temps du noble Roy Edw. *ayel de nôtre Seigneur le Roy qui ore est.*

That is, THEY complain that the Admirals came into the Franchises of Lords; but the Lords of Franchises had nothing to do with trying of *maritime Contracts* by the maritime Law; the Invasion therefore made upon them, was in meddling with the Land Affairs properly depending before them, which the Admirals had no Right to do, and the Intent was only to reduce them to the ancient Standard of *Edw.* III. Time. As when they pretended to the Cognisance of *Regraterie*, the Lords of Franchises and others had Reason to complain; for by the 25 of *Ed.* III. *cap.* 3. and 2 *Ric.* II. Forestallers and Regraters were indictable only in the King's Courts; and if at the Suit of the King, the King had the Penalty; if of a common Person, he was entituled to half; and by the Admiral's assuming a Jurisdiction, they were deprived of these Advantages.

THAT there are other Countries, as *Spain*, *France*, *Sicily*, *Denmark*, *Sweden*, and the *Seven Provinces*, that do confine their Admirals to Sea Affairs; but there is no Country whatever that denies the Cognisance of the Causes now in Question; and there is no Country that I know of, which has a *Lex terræ*, or any Rules in their ordinary municipal Law, for the Determination of them. Nay, I may truly say, that every Place in *Europe* intrusts the Admiral with a more ample Jurisdiction than *England* does.

BUT, MY LORDS, we are in *England*, and I am to offer to your Lordships, what Interpretation the Statute of *Ric.* II. is capable of, according to the Rules and Understanding of the Laws of *England*.

First then, the Admiral being an ancient Judge, of a fix'd and known Jurisdiction, we are to interpret these Statutes which derogate from that Right, he is founded in *de Jure communi*, in a strict Sense. And my Lord *Coke* says, that a general Statute is often construed particularly, upon Consideration had of the Causes of making the Act, and by comparing the several Parts of it together.

First of the Cause; There are no less than 8 Petitions of the Commons against the Admiral, from the 13 *Ric.* II. to the 11 *Hen.* IV. from 1389, to 1409, in a matter of 20 Years; and on three of them chiefly these Acts were made.

THE Substance of those Petitions was, that the Admiral and his Officers held Pleas of Contracts arising within the Bodies of Counties, of Trespasses, Debts, Quarrels, Wears, Kiddles, breaking open of Houses, carrying away Goods, illegal Imprisonments, excessive Fees and Extortions; but there is not one Syllable of Complaint, that they held Plea of Contracts in Foreign Parts, of Charter-Parties made within the Realm, of building, repairing, or victualling Ships: And whether 'tis possible to be supposed, that there should not be some of these Causes depending before such a Jurisdiction in those Days, that would judge of all Things by the Civil Law, in Time of Traffick as this was, especially into *France*? And whether they could have omitted glancing at some one of the Things specified in this Bill, had it been then thought a Grievance. For 'tis observable, that in the 14 *Ric.* II. there are 12 Statutes made, and 11 of them concern Trade and Navigation.

BESIDES that, there is not any Mention of them in these Petitions, I appeal to the Year Books, and the Abridgers of them, whether there be any Instance of a Prohibition brought in any of the Cases now before your Lordships, from the utmost Footstep of Judicial Records, down to the 13 *Ric.* II. And if there is no Instance to be given, that any Article in the Bill was prohibited before *Ric.* II. Time, and not one Syllable in the eight Petitions upon which those Acts were founded, I will hope it is evinced, that there was no Design to diminish the Admiral's proper Jurisdiction, but only to restrain the Innovations and Exorbitancies of it; and consequently, that he is still in Possession of the Cognisance of all maritime Causes as before those Statutes.

MY LORDS, I need not enquire what are maritime Causes in the general, or what Species there are of them; 'tis sufficient for me to shew every one mention'd in this Bill to be of that kind. And that I hope to do,

1. FROM the universal Acceptation of the Civil Law.
2. FROM good Authorities, judicial Records and Books in the Common Law.
3. FROM the Patents of the Admirals ever since *Ric.* II. Time.

I shall

I shall begin with *Foreign Contracts*, 1. Negatively, that the Common Law cannot hold Plea of Foreign Contracts. 2. That many Writers expresly allow the Admiral to do it.

Littleton ten. l. 3. *Sect.* 440. says, a Thing done out of the Realm, cannot be try'd within this Realm by the Oath of 12 Men. *Fitz. Nat. Br.* 114 *B.* says, that if an *English* Merchant be spoiled of his Goods by Merchants Strangers, *extra Angliam*, and have no Justice done him, he shall have a Writ out of *Chancery* against such wrong Doers and their Goods, and both shall be detained till Satisfaction. But an *English* Merchant shall not have such a Writ for any Debt due to him, upon a Contract made beyond Sea, if the Debtor should come into *England* with his Goods. I must confess there is a *Quære* added to it; but had the Enquiry been before him, whether there were any Writ to be had at Common Law in this kind, that would run either by Land or Water, he would have left out his *Quære*, and resolved, that there was none; and that the Remedy must be had from the Admiralty Process.

In *Brook* and *Fitz Herb.* 1. Account, there is this *dictum* of 2 Judges, *Ceo que fait per en* Britain *n'est pas triable icy; & Thorpe, coment poit ceo estre trie, car ceo que fuit fait en* Britain *entre Merchant & Merchant ne poit estre trie autermcnt, que par le ley Merchant: Mes nous sommes icy al common Ley, ou chose fuit par de la en* Britain, *ne poit estre trie.*

And I have a Note out of the Journal of this Honourable House, in the Parliament of 31 *Hen.* VIII. *fol.* 16. a Bill there read the 23*d* of *May*, *pur quant debita in partibus transmarinis per Syngrapham concessa habilia efficiantur in hoc regno* Angliæ *implacitari. Quæ Billa jam primo lecta & rejecta.*

I will make no Inference from Criminal Causes to Civil; 'tis certain that Treasons or Felonies committed beyond Sea, can be tryed in *England*: And these are Things of greater Consequence to the Publick Peace and Safety, than Bills and Bonds are. But shall next prove affirmatively, that Foreign Contracts are tryable here by the Admiral, and that many Writers of Common Law have expresly allowed it.

In the Terms of the Law, (a very ancient Book) an Admiral is defined to be an Officer under the King, who has Authority upon the Sea, (and among other Things) *de faire droit de Contracts par enter partie & partie, concernant chose faite sur, & outre la Mer*, and for that Purpose he has his Court of Admiralty. St. *Germain*, in his Book called *Doctor and Student*, *l.* 2. *c.* 2. says, it has been often argued in the Laws of *England*, what Matters of Right ought to be determined by the Laws of *England*, and what by the Admiral's Court. And also if an Obligation bear Date out of the Realm, it is said in the Law, and the Truth is, that it is not pleadable at the Common Law. So in the black Book of the *Exchequer*, *p.* 29, 30.

To this I may add, *Brownl. Rep.* 2*d* Part, where it was urged by Justice *Haughton*, (on a Motion for a Prohibition to the Admiralty, 8 *Jac.*) that the Intent of the Statute of 13 *Ric.* II. was not to inhibit the Admiralty to hold Plea of any Thing made beyond Sea, but only of Things within the Realm, which appertain to the Common Law; and *Walmsby* and *Warburton* Justices, agreed, that if an Obligation bears Date beyond Sea, or be so local that it cannot be tryed at Common Law, a Prohibition shall not go. Lord Chief Justice *Fleming* said, that that Court could not hold Plea of a Contract made at *Marseilles*, and therefore would not prohibit the Admiralty from holding Plea. *Et issint fuit le ley prise du temps le Roy* Edw. I. *quand aucune doubt fuit fait sur cette mattiere, quod par le Roy & son counseil fuit determine comme s'ensuit.* This Law in the black Book is cited in *Latin* by Chief Justice *Anderson*: *Hæc est ordinatio Reg.* Edw. *anno secundo scil. quod quilibet contractus initus & factus inter mercatorem marinarios & alios ultra mare, sive infra refluxum maris, vulgariter vocat.* Floodmark, *erit triatus & terminatus coram Admirallo & non alibi.* There are two other Statutes recited in the same Period; and in the close of all the Chief Justice adds, —— *accordant a queux ordinances, les Admiraux ont use leur authorites en les lieux avant dits tanque à ce temps, cy bien pour choses faites outre la Mer, sur la Mer, comme entre le* Floud-mark, *comme le* Low-water-mark, *queux prouve que cest lieu est d'estre prise comme parcel del mer, hors de chacune counté.*

So that the Judgment of Foreign Contracts is of Right in the Admiralty; and there is nothing in all the ancient Books of Common Law, to authorize the late Method of drawing maritime Causes to the Cognisance of the Common Law. 'Tis a Practice the Civil Law declaredly abhors; it feigns a Thing impossible in Fact, and without the least Colour of Equity; and tho' there are many Fictions in our own Law, yet they are such as are grounded in some express written Text, and such as are both possible and equitable. And as the Jurisdictions Abroad, where the Civil Law obtains, are numerous, and there are many Parliaments, and (as I may say) many *Westminster-Halls*, if such a Fiction were once to take Place, they would all be quickly confounded by the Parliament of *Paris* and *Grenoble*.

The 2*d* Thing in this Bill, is *Mariners Wages*, *Freight*, and *Breach of Charter-Party*.

The

The Cogniſance of *Mariners Wages* is not much denied to belong to the Admiral, tho' contracted for upon the Land. 14 *Ric.* II. *Rot. Parl.* 11. 37. The Owners of Ships trading out of *England* into *France*, complain to Parliament, that Mariners, by a Combination, did exact twice as much Salary and Freight, as they had uſed to do in King *Edw.* III. Time, and would not ſerve in *Engliſh* Bottoms, to the Detriment of the Owners, and the Navy of *England*; for Redreſs whereof they pray, that the Mayor and Bailiffs of Towns, where ſuch Mariners lived, might have Power to puniſh them, at the Suit of every Man that complain'd. To this the King conſents; but *how?* Not to the Prejudice, or in *Derogation of the Admiral's* lawful and ancient Juriſdiction: But anſwers, that he will charge his Admirals to ordain, that the Mariners ſhould have that which was reaſonable for their Service; and to puniſh them if they did otherwiſe. Mariners were then hired at *Wapping* and the Bank-ſide, as now they are, and the *Querela* did ariſe upon the Land; yet the Admirals were ever allowed to have the Cogniſance of it; and not only of this, but alſo in thoſe Days, *de touts mariners, vittuals venant hors de Mer, & iſſuant hors d'icelic, s'ils ſont bons, ou raiſonable, ou nemy, & auſi des artificers & laborers demeurant pres les coſtes de la Mer, s'ils preignent exceſſive pour leur labour ou nemy.*

But to come nearer Home, Serjeant *Rolls*, in his Abridgment, 533. *nu.* 21. ſays, it was judicially reſolved by the *King's-Bench* Court, that a Suit for Mariners Wages would not lie *hors del Admiraltie*; and the ſame, he ſays, was reſolved in the Breach of a Charter-Party.

And if Mariners Wages belong to the Cogniſance of the Admiralty, why not *Freight* as well, Freight being the Mother of Wages. When Owners and their Freighters differ, the one demanding the Wages due by Charter-Party, and the other pleading Damages ſuſtained, or Imbezzlement of their Goods, when the Matter is heard in the Admiralty, the Style of the Court is to aſſign 10 or 12 Days to the Merchants to prove their Damages; and where the Damage is proved, the Court allows Stoppage of Freight, *pro rata*, by way of Compenſation; where it is not proved, the whole Freight is paid with Coſts; however, if the Mariners be not charged, the Court orders ſo much of their Freight to be brought in, as will pay off the Mariners. That the Diſpute of the Owner and the Merchant may be no Hindrance, nor an Occaſion of arreſting the Ship for their Wages, and by that Means prevent her going to Sea again. Whereas if the Owner and Merchant go to Common Law, the Owner will recover his whole Freight, as far as the Charter-Party is proved, nor can he plead Stoppage in Bar: Nor, it may be, arreſt the Owner or Maſter for his Damages, they perhaps being inſolvent, or not appearing, ſince they may as well ſue for their Freight by Letter of Attorney.

Besides this, in a Trial at Law for Damages, ſome of the Ship's Crew muſt be neceſſarily had to witneſs how it happened; and while they are detained at Home ſeveral Terms, their Families muſt ſtarve: Whereas the whole Affair is determined within a few Days in the Court of Admiralty.

The next Article in the Bill is concerning *building of Ships*, and *victualling of them.* In this Serjeant *Rolls* alſo allows a Prohibition will not lie, and that it was ſo agreed by the whole Court in the Caſe of *Taſher* and *Gaell.* 42 *Eliz.* There is another Caſe of one *Rolf*, who agreed with *Freeman* to build him a Ship at *Woolwich*, and was to have ſo much for his own Work, his Servants their Victuals, and ſo much for Timber and Materials. *Freeman* builds and furniſhes the Ship: *Rolf* takes Poſſeſſion of the Veſſel, and afterwards ſells her to another, who accordingly poſſeſſed himſelf of the Ship, *Rolf* arreſts her by an Admiralty Proceſs for his Work and Materials. The other prays a Prohibition, and ſuggeſts the 3 Statutes, and alledges that the Contract was in *Kent*, the Work done, and the Materials furniſhed there, and a Prohibition was granted. But the Court being more fully informed of the Matter, awarded a Conſultation.

39 *Eliz.* *Buckhurſt* arreſted a Ship belonging to one *Aſcough*, for the Materials and Neceſſaries which he had furniſhed for the Voyage; *Aſcough* appear'd not, but another bailed the Ship, and then obtained a Prohibition, but afterwards a Conſultation was awarded; and in the Rule of Court for the Conſultation, there is this remarkable Expreſſion: *Quod prohibitio illa improvidè emanavit, & nolumus per hujuſmodi malicioſas ſuggeſtiones Admiralli cognitionem derogari.*

31 *Hen.* VIII. *Middleton* and other Merchants were ſued before the King's Council in the *North*, upon a maritime Buſineſs, the Defendants complain'd in *Chancery*, and obtained a *Superſedeas.*

11 *Hen.* IV. *Wagloff* ſues *Johnſon* in the Admiralty, and is condemned; the Cauſe is appeal'd to *Chancery*, and is reverſed; and afterwards iſſued a Commiſſion of Review. And 10 *Hen.* IV. there was a like Caſe, and 'tis remarkable that for many Years after this, there was no Prohibition, nor any Action upon the Statute in any of theſe Inſtances.

For

For the 4*th* Article, the Jurisdiction cannot be disputed; for the Admiral always had, and still has the *Care of the Royal Navy*; he has a Commission to execute all Statutes about *Wears*, and for *personal Contracts*, if at *Wapping*, *Gravesend*, and in the Mouth of the *Thames*; and therefore I shall not add to your Lordships Trouble upon that Head.

Having thus spoken of the particular Articles of the Bill, I think it material to observe next to your Lordships, that this Bill in the general, for ascertaining the Jurisdiction of the Admiralty, is the same in Substance with the *Act of Council* 1632, subscribed by the Twelve Judges and the Attorney General, in the Presence of the King, his Majesty's Father.

This Act of Council was the Result of many solemn Debates, and not the Effect of Artifice and Surprize: For the King having taken Notice of several Differences between his Courts of Justice, issued out a standing Commission to his Privy Council, to hear all Questions of Jurisdiction between his Courts, and to frame such Orders and Regulations as should be fit to be established. This Act of Council was enrolled in the several Courts of *Westminster*, as the Resolution of all the Judges, and as a standing Rule to be observed for the future. And it was punctually observed as to the granting and denying of Prohibitions, till the late disorderly Times bore it down, as an Act of Prerogative prejudicial (as was pretended) to the Common Laws, and the Liberty of the Subject.

Yet it was not long before the Usurping Powers found it necessary, for the Encouragement of Trade and Navigation, to make several *Ordinances* (no less than four in all) to the very same Effect with this Bill, even after they had abolished the Office of High Admiral. Those Ordinances being vacated by his Majesty's most happy Return, the most considerable Merchants in *London* (above an hundred in Number) petitioned his Majesty, that the Jurisdiction of the Admiralty might be re-established, for the Benefit of Trade and Navigation; annexing this Act of Council as the truest Measure of a good Establishment.

There have been divers Overtures since made to his Royal Highness, from many hundred Families that suffer in their Trade, especially material Men, for want of such an Establishment; but his Highness will not suffer such Addresses to anticipate your Lordships, who will, he doubts not, take Notice of these Grievances in your own Time and Method.

This being true in Fact, the Inconveniencies to the Publick are very great, for want of some Settlement in this Affair; and I shall only crave Leave to lay before your Lordships some few of them, which from what has been said does already in some Measure appear, and may be reduced under these two Heads.

1. The Uncertainty of Jurisdiction, and consequently of bringing any Cause to a final Issue in the Admiralty, by Reason of Prohibitions.

2. The Incompetency of the Common Law Courts, to give Relief or Execution in maritime Causes.

From the first Head, that is, *Uncertainty of Jurisdiction*, arises Dangers, Delays, and extraordinary Charges. As for Instance, the Admiralty has been Time out of Mind in Possession of judging Mariners Wages, &c. without Danger of being sued for double Damages upon the Statute; but there was a late Case in *Trinity* Term 1668, where one *Rand* brought his Action in the Admiralty against *Gosling*'s Ship for his Wages, having been hired as Master of the Ship from *London* to *Lisbon*, and back again; and also for Disbursements made at *Lisbon* to the Ship's Use, and Sentence was given for *Rand*. *Gosling* Appeals to the Delegates, and they affirm the first Sentence; and *Gosling* being taken in Execution, pays the Money with Costs of Suit; but the Matter ended not here, for *Gosling* brings his Action against *Rand* for double Damages, as having sued in the Admiralty against the Statute 20 *Hen.* IV. The Trial being at *Guildhall*, the Jury found for the Plaintiff *Gosling*, and he recover'd 80*l.* not from *Rand*, (for he happened to die pending the Action) but from his poor Relict and Administratrix.

And this Action might have been laid as well against the Judge, the Register, or the Proctor, as against *Rand*, and not only in this, but in any other Case: For there is not that Sort of Case to be named, wherein the Admiralty has not been some Time or other prohibited, either for want of being heard, or else because the Matter was not fully before the Court. And where a Prohibition has been granted, how unjustly soever, according to that Doctrine, an Action upon the Statute may be brought, and the Damages commonly given, are greater than the Costs of the whole Prosecution in the Admiralty amounts to.

Nothing can be more pernicious to Sea-faring and trading Men, than *Delays* in their Law-Suits; and therefore every maritime Country in *Christendom*, has a separate Judicature for Differences among Merchants and Sea-faring Men: So had we once,

we had a Law Merchant, and by it the Proceedings were *de die in diem*; we have yet left the Form of a Court of Admiralty, and are bound by it to proceed not only *de die in diem*, or as summary as a Judgment *de Jure Gentium* can be, but from *Tide* to *Tide*. That is the ancient Stile of the Admiralty; and not without Reason, since there is not one Cause in ten before that Court, but some of the Parties, or Witnesses in it, are pressing to go to Sea with the next Tide. And the Mariners had better lose the Wages of a whole Voyage, than not go off the next that offers it self. They and their Families would be starved by staying at Home till the Term, and then the Wages recovered would scarce quit the Costs, when every one is forced to bring his Action singly (as he must) at Common Law.

But now 'tis a frequent Practice, to suffer Plaintiffs to come first to a hearing in the Admiralty, and then appeal to the Delegates, and after they have affirm'd the first Sentence, the Defendant sues out a Prohibition. This obliges the Plaintiff, that has recover'd in two Instances, to begin again at Common Law, or else to sit down by his Loss; or if he obtain a Consultation, the Admiralty must not allow him either Damages or Costs, in Regard of the Expences at Common Law.

I have already shewn something of the *Incompetency* of other Courts for marine Causes, but may add, that it frequently occasions an utter Loss to the Merchant, and is a sad Discouragement to Trade. As in the following Instance:

A *Spanish* Merchant owes me Money, I understand he hath a Ship or Goods come into the River, no Process but that of the Admiralty will reach upon the Water; when I have arrested them, and good Bail is offer'd, I cannot refuse to accept it, and the Ship or Goods must of Course be freed and deliver'd to the Consignatory. When I declare in the Admiralty for *Freight*, *Breach of Charter-Party*, or the like; the *Spaniard*, by his Attorney, or his Bail, flies for a Prohibition; and suggests, that the Contract was not made *super altum mare*, but upon the Land at *Malaga*; hereupon the Admiralty is prohibited to proceed, and I am left without Remedy; for the Ship or Goods, which I had arrested, are gone, my Debtor is in *Spain*, and I can have no Action against the Bail in any other Court. Not unlike this is *Bridgman*'s Case in *Hobart*'s *Rep.* 12. but this I shall have another Occasion, under your Lordships Favour, to speak to. For such Losses as these are frequent; and which is more considerable, an *English* Merchant here owes Money upon a *Foreign Contract* to a *Spaniard*, he sues for it in the Admiralty, but the *English* Defendant flies to the Common Law, and has a Prohibition. The *Spaniard* in his Trial at Law produces the Contract in the Form usual beyond Sea. The Defendant pleads *non est factum*: How can the Party be relieved against this Plea? For the Original Contract subscribed by the Contractors, and the Witnesses, is a Record that the Notary in *Spain* will not part with, without forswearing himself, and losing his Office; the Copy exemplified will be no Evidence to a Jury, nor can the Notary and the Witnesses be had and heard *viva voce*, without a thousand Contingencies; whereas the *Spaniard* exhibiting his Instrument upon Oath, for a true and real Instrument in the Admiralty, the Adversary must either confess or deny it; if he confess the Instrument, (as notarial Instruments seldom are denied) there is so much in Proof before the Court as to judge of the Contents of it; if it be denied, the Plaintiff may have a Commission into *Spain pro scrutinio*, and the Copies exhibited here may be inspected, and compared with the Original remaining in the Notary's Hand. And the Magistrates of the Place will certify, that the Notary is a publick and authentick Person there, to whose Acts Credit is given in Judgment, and then that Instrument is before the Court in due Form of Proof; without this Help of the Admiralty, the Stranger would be without Remedy; which how much it hath been made a Reproach to the Nation, there are others here that can witness as fully as I can.

All Merchants Abroad make their Contracts according to the marine or civil Law, the Differences therefore upon those Contracts, should not be judged by a Law that hath nothing in it, either provisional or decisive in such Cases.

And pardon me, My Lords, if I say the Judges of the Common Law cannot so easily or naturally take Notice of the marine Law. There are so many Terms and Clauses (which are *vocabula Artis*, & *clausulæ Juris*) in every Contract, that it is very hard to make an *English* Jury to understand them; not to speak of the Differences there are among the Civil Law Writers themselves about the true Meaning of them.

So if a Master of a Ship sue for his Freight, or Wages, by Letter of Attorney at Common Law, he may recover without appearing: But if the Merchant have Damage by *ill Stowage*, *Imbezzlement*, *losing his Market* by the Master's Default, how shall he recover, in case the Master hides himself, or be insolvent? What Remedy or Compensation can the Common Law give? The Court of *Chancery* indeed may relieve, if the Master appears and proves solvent; but the Civil Law allows a just and adequate Compensation in all these Cases, and will in the same Judgment stop so much of the Plaintiff's Wages, as the Damage of the Merchants Defendants shall amount unto. The

same

ſame may be obſerved of Mariners Wages, whoſe Mutiny, Deſertion, Neglect, or Thieving, is puniſhed by a Deduction of their Wages, *pro rata* of the Damage, which cannot be done at Common Law.

But the greateſt Diſcouragement of all is, that of *material Men*; ſuch as furniſh Tackle, Furniture, or Proviſions, for the repairing of Ships, or ſetting of them out to Sea: When they are not paid at the Time appointed, they arreſt the Ship; which will bring all the Part Owners to anſwer for it; but if, when they declare in the Admiralty, a Prohibition be granted, the Remedy will be againſt the Maſter alone, who, tho' he beſpoke the Materials, is commonly not worth the 25th Part of the Action. And theſe material Men have often offer'd to make it demonſtrable before his Royal Highneſs, that if the Ship ſhall be ſubject to their Arreſt, without Danger of a Prohibition, (*becauſe the Contract was upon the Land*) an 100 Sail of Ships ſhall be furniſhed, and ſet out with more Eaſe, and leſs Time, than 5 now can be, as the Practice of prohibiting hath lately been. For there is not any Maſter but may command 1000*l.* worth of Goods upon his Ticket in a Morning, when the material Men do know, that they may arreſt a Ship with Effect, in caſe he and his Owners do not come, and give each material Man ſuch Money or Security as will content him. Whereas if they be forced for their Remedy to Common Law againſt the Maſter, and his Part Owners, (who are moſt commonly Perſons unknown, and at a Diſtance) they had better keep their Wares in their Shops, than purſue ſo many, upon ſuch unequal Terms.

But then *'tis objected*, that Prohibitions are the King's Writs, the Benefit and Security of the Subject, and no inferiour Court ought to pretend to be exempt from ſuch a neceſſary Reſtraint.

With Submiſſion to thoſe learned Perſons, the Admiralty does not pretend in the leaſt to be exempt from Prohibitions; and they will nevertheleſs be ſubject to Prohibitions, tho' it ſhould be declared by Law, that no Prohibition ſhall lie in any of the four Caſes ſpecified in this Bill. The Clergy in their *Articuli Cleri*, preſented at *Lincoln*, complained, that Prohibitions were iſſued out againſt the Spiritual Courts to their exceſſive Grievance. Upon which the King by that Law ſets down 5 or 6 Caſes, wherein a Prohibition ſhould not lie, and as many in which it ſhould lie. The Iſſue was, that the Courts Chriſtian never attempted any Thing wherein the Law did then limit them; and yet we ſee, that in Caſes not ſpecified in that Law, Prohibitions come out againſt them now as thick as ever. This will be the Caſe of the Admiralty with ſome Advantage; for then it would be out of Danger of the penal Statute, and undiſturbed in the four Articles ſpecified in the Bill; but as to other Matters, it will be ſtill as ſubject as ever to the Courts of *Weſtminſter-Hall.* Prohibitions, My Lords, moſt properly lie to a Court wanting Juriſdiction; but where the Subject is aggrieved by male Proceedings, or wrongful Judgments, the proper Remedy is by Appeal to his Majeſty in *Chancery.* And ſince Prohibitions are never without Charge and Delay, two great Diſcouragements to Trade, and I may preſume to ſay, have been ſometimes granted with Exceſs, as appears by the Anſwer to the *Articuli Cleri*, We hope the ſame Courſe may now be taken, as was by that Statute, *viz.* to determine where a Prohibition ſhall lie by Law, and where not.

There is another Cauſe of *Botttomry*, which hath as much Loſs and Diſcouragement in it as any other. Many Inſtances might be given from our own Regiſtries; but I chooſe them rather from the Books of Common Law, as leaſt partial to us; and out of many thence which might be produced, I ſhall mention but one. In my Lord *Hobart's Reports, fol.* 12. where the Caſe was this:

One *Bernard*, Owner of a Ship, makes *Williams* Maſter of her, and ſends her into *Spain*, and the Ship happens there to come into Diſtreſs. *Williams* applies himſelf to one *Bridgman*, an *Engliſh* Merchant reſiding there, and prevails with him to lend 50 *l.* to repair and furniſh his Ship, and for his Security, impawns the Ship; the Ship coming into *England*, and *Bridgman* being not paid his Money, arreſts the Ship, and declares in the Admiralty againſt the Owner of the Ship; who being condemned to pay the Money, ſues a Prohibition, and ſuggeſts, that the Maſter had no Power to pawn his Ship. Hereupon *Bridgman*, who had lent his Money *bona fide*, to preſerve the Ship from periſhing, has his Pawn taken from him, and is left to his Remedy againſt the Maſter; indeed if the Maſter be ſolvent, he muſt pay the Money, from which he never had any Advantage; if he prove inſolvent, *Bridgman* muſt loſe it. Which will be a ſufficient Diſcouragement to him, and every one elſe, another Time, from lending their Money to preſerve an *Engliſh* Bottom. The Reaſon of this Prohibition muſt have been, *becauſe* the Contract was made upon the Land in *Sevil.* And yet the Judgment of the Admiralty is there approved of, in allowing the Maſter Power to pawn his Owner's Ship for the Preſervation of it, tho' it was diſagreeable to the Rules of the Common Law.

It is ſaid, that the Common Law Courts have often judged theſe Caſes; and when they do, they judge according to the marine Law: And that what Defect is in their

 Law,

Law, as to Arreſts or Executions on the Water, may be eaſily ſupplied by a new Act in Favour of them, and not of the Admiralty.

It is true, My Lords, that the Legiſlative Power is at Liberty to truſt whom it thinks fit, with his Majeſty's Juriſdiction upon the Water; but we hope, that as the Admiral was veſted with this Juriſdiction before *England* knew *Magna Charta*, and that we have done nothing to forfeit that Title, that we have done nothing contrary to his Majeſty's Dignity, contrary to the juſt Rights of his Subjects, or to the Prejudice of his Neighbours, that we ſhall not be laid aſide. And as for that, that the Courts of Common Law are willing to judge marine Cauſes by the marine Law; I will not take upon me to ſay, how far they may recede from their own Law in thoſe Caſes, wherein theirs and ours do differ; but I think they may as well ask the whole ſpiritual Juriſdiction, and ſay, they will govern their Judgments according to the Eccleſiaſtical Law, and the Canons of the Church.

The Inconveniencies of a real and pretended Juriſdiction being thus ſtated, *the Conveniencies of this Bill*, does, I hope, more manifeſtly appear. For if it be declared by a Law, that no Prohibition ſhall lie in the Caſes therein ſpecified, it will be,

1. A *great Satisfaction to Foreigners*, that have Cauſes of Action here. For a Merchant or Factor in *Spain*, *France*, or *Holland*, as ſoon as his Proctor or Correſpondent ſhall tranſmit unto him the Copy of a Libel, put in againſt him in the Admiralty, he may have recourſe to the Civilians of his own Country, and learn from them, as well as from us, which is moſt adviſeable, to conteſt, or ſubmit. Nay, if Sentence goes againſt him, his Proctor will be able to tranſmit him the Arguments and Reaſons of Law, which the Judge at the Time of giving Sentence goes upon; and ſo he may adviſe, whether he had beſt appeal or acquieſce: Whereas now, all Foreigners do complain extreamly, that they can have no other Account of their Cauſe, but that the *Fore-man of the Jury ſaid*, they found againſt them.

2*dly*, Mariners will have their *Wages*, or *their Puniſhment*, Time enough to go to Sea again with the next fair Wind; and all the Crew of a Ship may joyn in one Action, and not coſt them one Shilling a Piece: And if they be faulty, the Maſter or Merchant have a Remedy againſt their Wages, *pro rata*, without being put to ſeveral Suits.

3*dly*, Owners ſhall recover *their Freight*, and Merchants *their Damages*, when they happen, *in one and the ſame Judgment*, and *Charter-Parties*, which are only calculated for Sea-Affairs, ſhall be interpreted and adjudged by the Sea-Laws, and according to the Stile of the Court, not from Term to Term, but from Day to Day, and Tide to Tide, all the Year round.

4*thly*, When *Part-owners* of Ships do differ (which is very frequently) about ſetting out their Parts to Sea, about a Voyage, about letting out their Ships to Freight, about conſtituting or removing a Maſter; ſome being for one Maſter, one Deſign, ſome for another; they will have their Differences, as ſoon as they can be ſtated, decided by the Laws of the Sea. Whereas it is ſometimes impoſſible for them to have a Hearing in ſeveral Months at Common Law; and when they have had it, I know not of any Thing (as I before ſaid) that is proviſional or deciſive in theſe Caſes, but muſt be borrowed from the Civil Law.

But the *greateſt Conveniency* of all, will be the Encouragement to *material Men*; if they be but ſecure of their Action againſt the Ship, there is nothing in their Warehouſe, but will be forthwith furniſhed upon the Credit of the Ship. And if we may believe Men of Experience, this will contribute more effectually than any Thing to his Majeſty's Deſigns, for the Encreaſe of Shipping, and the Encouragement of Navigation. And if the Bill before your Lordſhips will naturally produce theſe Effects, as it certainly will, I need not enlarge upon any other Conveniencies.

Yet one more I cannot forbear to mention; the *Encouragement of a Profeſſion*, not only as it is a Profeſſion or Body of Men devoted to ſuch a Study, but as it may prove, and has been reputed in ſome little Meaſure uſeful to the Publick; and I hope it will not be thought invidious, if I chooſe the Words of a great and wiſe Prince, his Majeſty's Royal Grand-father.

I do greatly eſteem (ſays he) the Civil Law; the Profeſſion thereof ſerving more for general Learning, and being moſt neceſſary for Matters of Treaty with foreign Nations. And I think that if it ſhould be taken away, it would make an Entry to Barbariſm, and blemiſh the Honour of this Kingdom. For it is in a Manner *Lex Gentium*, and maintaineth Intercourſe with all foreign Nations. My meaning is not, *to prefer the Civil Law before the Common Law*, but only that it ſhould not be extinguiſhed, and yet ſo bounded (I mean to ſuch Courts and Cauſes as have been in ancient Uſe) as the Eccleſiaſtical, Court of Admiralty, Court of Requeſt, *&c.*

Thus that great and diſcerning Prince *in terminis*, with much more to the ſame Purpoſe. The Truth whereof, as to the Uſefulneſs of this Science, is abundantly verified in a very modern Inſtance, I mean, the Pretenſions of *France* over the *Spaniſh Netherlands*.

For.

For by the licensed Manifesto's, published on both Sides, about three Years ago, it will appear, not only how useful the Professors of that Law were to support the Titles of their respective Masters, and also how necessary the Assistance of Men, consummate in that Science, would be to any Neighbour Prince, that had Occasion to inform himself (as Arbitrator or Ally) as his Majesty might have had, of the true State and Merit of the Differences. For the several Points of *Devolution*, *Renunciation*, and *Succession*, upon which those Manifesto's joyn Issue, are neither to be thoroughly understood, nor rightly stated, but by a considerable Skill and Knowledge in the Civil Law. And in all such Sort of Intercourses or Disputes, what Rule or Law can we go by, or how is it possible, My Lords, to convince Foreigners of what we say, but either from the Principles and *Maxims of their own Law*, or *else by that Law*, which is in some Measure received by all, as the fixt and unalterable Rules of Justice.

However, we have no Reason to fear the Extinguishment, which King *James* speaks of, since we owe the very Name and Being we have of a Profession, to his Majesty's most happy Return to, and his Most Gracious Influence upon the Church of *England*, and this her constant Handmaid. And 'tis in Contemplation of this Revival, that the Study of this Law begins to flourish in the Universities. And those Members of Colleges that are bound by their Statutes to spend their Time, and take their Degrees in this Science (and of these there are 53 Persons indispensably bound in the University of *Oxford*) do not now say, as they did in the Times of Usurpation, that they are condemned to a jejune and barren Study by a three Penny Planet. But there is scarce a College or Hall that hath not several Volunteers, that, under the Favour of his Majesty, who so well knows the Esteem of this Profession abroad, have given in their Names to this Study.

But whether this of *encouraging so many young Students*, of *satisfying Foreign Traders*, of giving *Dispatch to Mariners*, and to *material Men* the Security which they like best, shall be esteemed *real Conveniencies* or not; yet I hope, My Lords, to conclude with something that will give all Parties content, and must be understood to be a *Conveniency*; it is, that we of the Admiralty are content, that Suitors may have *their Option* of the Court they would sue in: If Mariners will go for their Wages, Owners for their Freight, Merchants for their Damages, Material Men for their Money, to the Common Law, we shall not in the least regret it: But if they choose rather to come to the Admiralty, (as certainly they will not, unless they find the Dispatch quicker, the Proceedings less chargeable, and the Methods of Judgment and Execution more suitable to their Business) we desire leave to receive them, and to do them Justice, without the Danger of a penal Statute, and without the Interruption of Prohibitions when once we are possessed of the Cause. And this is all we desire.

A Charge given at a Session of Admiralty within the Cinque Ports, Sept. 2. 1668. *by Dr.* L. Jenkins.

Gentlemen of the Jury,

YOU are here empannelled and sworn to make a diligent Enquiry, and a true Presentment of all Crimes, Offences, and Abuses, that have been already committed, or are now prevailing within the Jurisdiction of the Admiralty of the Cinque Ports.

'Tis not my Business now to shew you how ancient this Admiralty is in Story; nor to trace it up to *William the Conqueror*, or *Edward the Confessor*'s Time: The Records of the Tower of *London* do fully vouch the Antiquity of it, and by them it appears, that when there were several Admirals in *England*, (as about 400 Years ago there were always 2 or 3 at a Time) the Admiral of the Cinque Ports was still one, if not the chiefest of them. And those great Fleets which these Ports did then furnish out upon all Occasions (called and reputed by Way of Preheminence the *King's Navies Royal*) were still commanded by the *Lord Warden*, as their Admiral; and he had all the Authorities, Rights and Royalties, belonging to an Admiral, annexed to his Office, as appears by the Commissions of *Beauchamp* and *Herle*, who were Wardens and Admirals of these Ports in *Edward* III. Time.

Nor are there the Records of the Tower only, but several Acts of Parliament, that declare this Admiralty to be an ancient entire Thing of it self, distinct from that ancient great one, commonly called *the Admiralty of* England: For Instance, in the Statute of 2 *Hen.* V. and 28 *Hen.* VIII. where the Proceedings of the Lord High Admiral of *England*, in Cases of Treason and Felony, are directed to be by a Jury of 12 Men, according to the Course of the Common Law, there the *Cinque Ports* have their Admiralty Jurisdiction, and the Cognisance of such Causes entirely reserved to them, as distinct and independent from the Lord High Admiral's Jurisdiction.

Before

Before I come to the *Particulars of your Charge*; it will not be amiss to lay down the true Bounds within which you are to limit your Enquiries, that you may not encroach upon the Charge of Juries and Inquests within the Land. You are therefore to enquire no further than within the Jurisdiction of the Admiralty of these Cinque Ports, and his Jurisdiction is not only upon the main Sea within your Franchises, but also in all the Ports, Havens, and Creeks, and in the main Streams of great Rivers beneath the first Bridges, as also every where upon the Sea-shore within High-water Mark. Thus much the Statute of 28 *Hen.* VIII. compared with the Forms of Commissions of Oyer and Terminer for the Admiralty, does very fully import. And these Commissions are the best Comment upon that Statute, being not only issued out in Vertue of it, but still passing the View and Approbation of every Lord Chancellor, since the making of that Statute.

These are *your Bounds*, Gentlemen, *the Particulars you are to enquire of*, I shall deduce from these three Heads; The Laws of the Realm, the Laws of *Oleron*, and the Laws of the Admiralty.

First, As to most of those Crimes and Offences that are enquirable, by the *Laws of the Realm*, I shall not need to say any more, but that *whatsoever is Treason* or Felony, Murther or Manslaugher, Mayhem, Riot, Larceny, or Misdemeanour, upon the main Land, within the Body of any County, the same changes not its Nature, Name, or Punishment, when 'tis committed upon the Sea, within the Jurisdiction of the Admiral.

For Instance, 'tis no less High Treason treacherously to deliver up one of his Majesty's Ships to an Enemy, than to betray one of his Castles or Garrisons; and he that gives the King's Enemies any Intelligence, Aid or Relief at Sea, is as perfectly a Traytor, and as fully within the *Pourvieu* of the Statute of 25 *Edw.* III. as if he had done it upon the Land.

You are therefore to enquire within the Jurisdiction of this Admiralty, of all *Treasons and Conspiracies* against the King, for to compass, imagine, or devise the Death of the King, or any bodily Harm or Restraint upon his Person, the levying of War against him; or the inciting of any Foreigners with Force to invade any of his Majesty's Dominions; I say, 'tis High Treason not only to do any of these Things, but by *a Statute* lately reviv'd, to compass, imagine, intend, or devise any of these black Hellish Things, where such Imaginations or Intentions can be discovered by any Word or Deed.

So precious in the Eye of the Law, so carefully fenced about is his Life, his Safety, who is, as the Holy Scripture styles him, *the Breath of our Nostrils, and the anointed of the Lord.*

By the same Statute, the malicious and advised speaking of such Things, as may incite the People to Hatred and Dislike of the King's Person or Government, is made (tho' not High Treason) yet very highly punishable, to the Forfeiture of all Trusts and Employments whatsoever; you are therefore to enquire, whether any within the Jurisdiction of this Admiralty do, by seditious Insinuations, endeavour to alienate the King's Subjects from their Duty and Allegiance.

But here you must observe, that in Treasons and Crimes of this Kind, as also in Felonies, we can only make the Inquisition in this Court, they cannot be tried and sentenced here, it must be either before his Royal Highness and his Assistants at his Court of Shipwey, (for that Court has Cognisance of Treasons as well as of other Crimes) or else by his Majesty's Commission of Oyer and Terminer, in Vertue of the Statute of 28 *Hen.* VIII.

There are some Sorts of *Felonies and Offences*, which cannot be committed any where else but upon the Sea, within the Jurisdiction of the Admiralty. These I shall insist upon a little more particularly, and the chiefest in this Kind is *Piracy*.

You are therefore to enquire of all *Pirates and Sea-rovers*, they are in the Eye of the Law *Hostes humani generis*, Enemies not of one Nation or of one Sort of People only, but of all Mankind. They are outlaw'd, as I may say, by the Laws of all Nations; that is, out of the Protection of all Princes and of all Laws whatsoever. Every Body is commissioned, and is to be armed against them, as against Rebels and Traytors, to subdue and to root them out.

That which is called Robbing upon the Highway, the same being done upon the Water, is called Piracy: Now Robbery, as 'tis distinguished from Thieving or Larceny, implies not only the actual taking away of my Goods, while I am, as we say, in Peace, but also the putting me in Fear, by taking them away by Force and Arms out of my Hands, or in my Sight and Presence; when this is done upon the Sea, without a lawful Commission of War or Reprizals, it is downright Piracy.

And such was the Generosity of our ancient *English*, such the Abhorrence of our Laws against Pirates and Sea-Rovers, that if any of the King's Subjects robb'd or murthered a Foreigner upon our Seas, or within our Ports, though the Foreigner happened to

to be of a Nation in Hostility against the King, yet if he had the King's Passport, or the Lord Admiral's, the Offender was punished, not as a Felon only, but this Crime was made High Treason, in that great Prince *Henry* V. Time; and not only himself, but all his Accomplices, were to suffer as Traytors against the Crown and Dignity of the King.

THERE are certain Statutes relating to *Trade and Navigation*, which make several Things Criminal; concerning these, the *Lord Warden*, as Admiral, is especially intrusted to enquire and take an Account.

You are therefore, by Vertue of those several Statutes, (and of some made since his Majesty's most happy Return) to enquire whether any within your Franchises, have exported Sheep, Wooll, Yearn, Fullers Earth, or any other Commodity prohibited by Law to be exported.

You are likewise by the Act for the Encouragement of Navigation, to enquire whether any have *imported any Goods* or Merchandizes of the Growth of *Asia*, *Africa*, or *America*, into any of his Majesty's Dominions, *in any other Bottoms* than such as are really and truly *English*, three fourths at least of the Mariners being the King's Subjects.

You are by another Act of Parliament, 16 *Car*. II. to enquire if any Masters of Merchant Ships have been so cowardly, base, and treacherous, as to render and *submit themselves to any Turks*, Pirates, or Sea-Rovers, without fighting. For by that Act, if any Master, having a Ship of 200 Tuns, and 16 Guns mounted, do yield without fighting, or do take any Part of his Freight, or of his Goods back again, as a Gratuity from the Pirate, or do yield to any that has not at least double his Force, how little soever his own Vessel or Force be; he is to be declared by the Court of Admiralty for ever incapable of serving in any *English* Ship, and to answer the Merchant for his Damages to the utmost of his Ability.

BY the same Act, if a *Mariner do refuse to fight* in these Cases, he is to suffer six Months Imprisonment, by Warrant from the Court of Admiralty; but if he lay violent Hands on his Master, to hinder him from fighting, he is to suffer Death as a Felon: And so is such Master as shall be found to have cast away his Ship, or otherwise wilfully destroyed it, having first taken up more Money upon Bottomry than his Adventure was worth.

I shall say no more of the Laws of the Realm; and the Time will permit me to say but a Word or two of the Laws of *Oleron*, which is the *Second* Head I proposed to give you in Charge.

THE *Laws of Oleron*, are the ancient universally received Customs of the *Western* Part of the World; which *Rich*. I. of immortal Memory, being upon his Return from the Holy War, thought fit to review and reform; and then to give them the Stamp of his Royal Authority. These Laws all the Sea-faring Nations of this *Western* Part of the World, soon after received and entertained from the *English*, by way of Deference to the Soveraignty of our Kings in the *British* Ocean, and to the Judgment of our Countrymen in Sea-Affairs.

You are therefore, by the Laws of *Oleron*, to enquire, whether any have taken upon them the *Conduct of Ships as Masters*, without sufficient Skill and Experience; and whether any Damage or Danger hath arisen thereby? Whether there be any Masters of Ships that do not pay off their Mariners honestly, without Cavil or Delays; that have not treated their Mariners with Humanity and Care, when they were sick in their Service; especially when they were wounded in Defence of their Ship?

You are to enquire after *all stubborn*, quarrelsome, thieving, mutinous, and rebellious *Mariners*, after such as have run away from Service, or have not come in to it according to their Covenant; after such as steal away *Buoys*, or cut *Buoy Ropes*. And whether any have imbezzled, or possess'd themselves of Goods cast away, and are no *Wreck*, but are pursued and demanded by the true Owners? For that is no Wreck, properly so called, tho' the Ship it self be cast away, where any Creature, tho' but a Dog or a Cat, escapes to Shoar alive. The Custody of such Goods belongs to the *Lord Warden* as Admiral, and are to be restored to the Owners, the Savers first receiving a reasonable Recompence, in proportion to their Hazard and Pains.

I call these the *Laws of Oleron*, not but that they are peculiarly enough *English*, being long since incorporated into the Customs and Statutes of our Admiralties; but the Equity of them is so great, and the Use and Reason of them so general, that they are known and received all the World over, *by that*, rather than by any other Name.

THE *Third* and last Head, are the Statutes and *Usages of our English* Admiralties; and among them some are as ancient as K. *John*, and *Ric*. I. Time; others, as that famous Inquisition at *Queenborough*, had above 300 Years ago; all of them peculiar to the Powers and the Office of an *English* Admiral.

THE

THE *Admiral* has, as well by ancient Prescription, as by the Statute of 1 *Eliz.* and other Statutes, the *Conservation of the great* and *navigable Rivers*, not only from all manner of Nusances, but also preserving the Breed of Fish.

You are therefore to enquire of such as use any *Nets*, *Engines*, or other unlawful Arts to catch Fish withal, contrary to the Statute of 1 *Eliz.* or the Customs of the Ports; of such, for Example, as have not the Meashes of their Nets two Inches and a half broad; of such as do by any manner of Way destroy the Spawn and Fry of Fish; of such as destroy any Fish before they be of a statutable Size; of such as dreg for Oysters within the forbidden Times, that is, from the 1*st* of *May*, to the 14*th* of *September*; by an ancient Statute of the Admiralty of *England*, or within any other Time forbidden by the Customs of these Ports.

You are to enquire, whether any *Fishermen*, Subjects of the *French* King, do presume to fish upon this Coast, *without special License* from his Royal Highness; and if they have License, whether they fish with any other Nets than such as are of the *English* Size? The Offenders and their Boats are to be seized on, in any Port where they happen to come.

You are to enquire, whether any do *annoy your navigable Rivers*, or his Majesty's Ports, by throwing into them any Rubbish, Filth, or Ballast, or by taking up their Ballast in undue or improper Places? And after all *Regrattors* and *Forestallers* of the Market upon the Water; that is, such as do way-lay, and buy up any manner of Provision or Merchandise, before it be brought into the Port of Discharge; and do sell it again by Retail in the same Port, or within 4 Miles of it.

THE Lord Warden, by vertue of his Office of Admiral, has a special Trust reposed in him, in Matters relating to War, and for the maintaining of his Majesty's Soveraignty in these Seas.

You are therefore to enquire, whether any Commander at Sea has, upon any Occasion, neglected to require and exact the just Respects, Deference, and Salutes, due to his *Majesty's Flag* from all Foreign Ships, and hath not fought, and, if need were, sunk such Ships as have refused that ancient Acknowledgment, which all Nations have Time out of Mind paid to the Banner of *England*.

IF I should give you in Charge to enquire, if any Foreigners have refused *to strike* to *Dover-Castle*, and to salute it, (as I think I might do, without leading you out of the Jurisdiction of our Commission) every Stranger and Foreigner that hears me, would think the Enquiry very reasonable; because it hath been always usual, they know, to pay that Tribute of Respect, in lieu of the Safety and Protection every Ship is sure to find there.

You are to enquire, whether any of his Majesty's Subjects have taken any Commission, or do serve in any Man of War, *under any Foreign Prince or State*, *without special Leave* from his Majesty, or his Royal Highness; his Majesty having not long since declared by his Proclamation, that he will have such proceeded against as Pirates; they are to be seized on, if any of them happen to put into your Ports, and to be sent up to his Royal Highness's Lieutenant in *Dover-Castle*? And whether any Masters of Ships, or others, in the late War, have been instrumental to the Escape of any Prisoners, by conveying them or their Goods beyond Seas, without Letters of safe Conduct from his Royal Highness? Whether any Persons commission'd to take Prizes in the late War, have defrauded his Majesty of his *Prizes*, or his Royal Highness of his just *Share* and *Tenths*, either by not bringing all such Prizes as they took to Judgment; or else breaking Bulk before Sentence or Decree of Appraisement and Sale? Or of such as have bought or received any *Prize Goods*, before they were declared to be lawful Prize in Judgment, such Goods being *Bona Piratorum*, belong to the Admiral.

THE *Lord Warden*, as Admiral of these Ports, has certain lawful *Authorities*, and ancient *Royalties* belonging to his Office, whereto you ought to have a special Regard in your Enquiries, that they be not violated or encroach'd upon: As, Whether any Ship or Vessel hath, upon any Pretence, broken any *Imbargo* or *Arrest* laid upon it by Authority of the Lord Warden? And whether any Mariners, prest by the Lord Warden's Order, have fled away, or departed his Majesty's Service without Leave?

You are likewise to enquire, whether any do hinder the Execution of the Warrants, Arrests, or Decrees, of this Court of Admiralty? And whether any do sue or implead others elsewhere than in this Court, in such Causes of Action as arise within the Jurisdiction of the Admiral, and belong to his Cognisance? And whether any Officer belonging to this Court, doth abuse the Honour he hath to serve under his Royal Highness, by Corruption, Extortion, unreasonable Demands, or fraudulent Dealings whatsoever? Whether any do usurp or encroach on the *Lord Warden's Droits* and Royalties, as Admiral? For Instance, whether any Lords of Mannors, or others, do challenge to themselves *Wrecks* at Sea, or other *Droits* of Admiralty, in their Mannors, without sufficient Title in Law so to do; and whether their Bailiffs, Servants, or any

other

other Perſons, have ſeized or poſſeſſed themſelves of any wreck'd Goods, which by an antient uninterrupted Preſcription belong to the Admiral?

Besides theſe Wrecks at Sea, all Jetſons, Flotſons, Lagons, Derelicts, and Deodands, belong to the Admiral; which Words, becauſe they are not ſo eaſily underſtood, may be thus explained: *Jetſons*, are ſuch Goods as are thrown over-board, to lighten a Ship in a Storm: *Flotſons*, are ſuch Things as are floating upon the Water, whether ſwept away (as it happens ſometimes) from the oppoſite Shore, or elſe Veſſels of Wine, or Oil, or other Goods in Barrels or Cheſts, that are caſt away, but not yet brought and left upon the Shore: *Lagons*, are Anchors, and ſuch weighty Things, as being loſt and ſunk in the Sea, are taken up again: *Derelicts*, are Boats, or other Veſſels, forſaken, and found empty, without any Perſon in them: Theſe the Lord Warden has but the Cuſtody of, for where the Owners are only frighted away, they may be recovered upon Claim within the Year and the Day: *Deodands*, are either ſuch Things as were immediately inſtrumental to the Death of a Man on Ship-board, or elſe ſuch Goods, Moneys, or Jewels, as are found upon a dead Man's Body, that is caſt a-ſhoar by the Sea.

To the Lord Warden likewiſe, as he is Admiral, do belong all Goods appertaining to the King's Enemies, either lying conceal'd, or elſe ſurprized and taken without Commiſſion, or otherwiſe brought in by Storm or Caſualty, within the Juriſdiction of the Admiral. The Goods and Chattels of Traitors, Pirates, Felons, and of all Acceſſaries, not only where the Treaſon or Felony happens to be committed upon the Sea, but whereſoever the Fact is done, or the Perſon attainted happens to be in the King's Dominions, if the Goods lie within the Juriſdiction of the Admiralty, they are the Admiral's. So it is of the Goods and Chattels of *Felons de ſe*, of Fugitives, Outlaws, ſuch as are put in exigent: All Fines and Amerciaments impoſed by this Court are the Admiral's, all Royal Fiſhes, ſuch as Whales and Sturgeons, are his, with many other Particulars, which I have not Time now to inſiſt upon.

Thus, Gentlemen, I have given you ſome Account, the brieſeſt I could, of the Matters you are to enquire of, I muſt needs in this haſt have omitted many Particulars, which your Judgment and Experience of what is amiſs, and puniſhable at Sea, will be able eaſily to ſupply; but I muſt deſire you to be very exact in ſetting down all Circumſtances of Time, Place, and Perſons, as near as you can, in every Matter that you ſhall think fit to Preſent.

If you do make your Preſentment honeſtly and conſcientiouſly, with a juſt Regard to the Oath you have taken, you will in ſo doing, acquit your ſelves of a Duty not only incumbent on you, but acceptable to the King, and to his Royal Highneſs our Lord Warden. For ſince the Safety, Honour, and Wealth of *England*, does ſo much conſiſt, under the good Providence of God, in that great Force, and in the Commerce and Traffick which is maintained by Sea, it muſt needs be a Service of Importance to the King, and a very high Satisfaction to his Royal Highneſs, (who is principally intruſted under his Majeſty in all Sea-Affairs) to keep up the old *Engliſh* Diſcipline among our Seafaring Men, to reform the Abuſes, and puniſh the Miſdemeanours, that are a Blemiſh to the Name and Reputation of the *Engliſh*; and how can this be done effectually, unleſs Men upon their Oaths (as you are) be diligent in their Enquiries, exact and faithful in their Preſentments?

And truly, Gentlemen, you had not been ſummoned hither this Day, (as you are by his Royal Highneſs's ſpecial Direction) but there was Reaſon to hope, that the mutual Satisfaction which the Lord Warden and his Ports have this Day in each other, would be a freſh Motive, and a very preſſing Engagement upon every one of you, with Vigour and Zeal to preſerve and promote the Publick Good, as it will be, I am very well aſſured; his Royal Highneſs's Care to watch over your Privileges, and to eſpouſe the Defence of them, with as much Concern and Tenderneſs, as any of his Predeceſſors in this Place have done before him.

And as you, Gentlemen, (I mean not only you of the Jury, but the Gentlemen of theſe Ports in general) do owe thoſe great Privileges you have theſe many hundred Years enjoyed, far beyond any Part of the Kingdom, to the active, ſignal Loyalty of your Anceſtors, to that Height of true *Engliſh* Valour and Proweſs, they have upon all Occaſions ſhewn; to that ſpecial Zeal and Devotion they always had for the Crown; ſo the ſame Spirit of Valour, the ſame Frame and Temper of ancient Loyalty, ſhewing it ſelf in you, as it did in them, will make it leſs difficult to preſerve your Privileges ſtill entire and inviolable, eſpecially under ſo gracious and juſt a King, ſuch an illuſtrious and affectionate Lord Warden.

And if you conſider rightly the Affection which his Royal Highneſs has for your Publick Good, you may without Vanity value your ſelves altogether as highly as thoſe your Anceſtors, who had the great Duke of *Lancaſter*, and the victorious Prince of *Wales*, afterwards *Hen.* V. for their Wardens. What they boaſted of in their Days, you

you do as compleatly enjoy, blessed be God, in yours; you have for your Guardian and Protector, under the King, as they had, the greatest Subject of *England*: Nay, (I may add truly, his Actions, his Merits, his Blood considered) the greatest Subject of the Christian World; and which is peculiar to the Honour, and the Interest of Sea-Port Towns, as great an Admiral as ever weigh'd Anchor; who, as he bears a principal Part in the Glories of his Majesty's Reign, so he desires, and will endeavour to do, in the Restauration and flourishing of his Cinque Ports, and all that depend upon them.

A Charge given at an Admiralty Sessions held at the Old-Baily, *by Sir* L. Jenkins. *Taken by a good Hand.*

Gentlemen,

HIS Majesty's Commission, in virtue of which you have been summon'd, impannell'd, and sworn, being now read over, it is proper for you, in order to the better Discharge of your Trust, to be inform'd,

1. With the Nature and Scope of the Commission.
2. With the Extent and Limits of it, as it differs from Commissions of the same Name, before you take in Charge those particular Matters which are made enquirable by it.

That his Majesty issues out Commissions of the same Name with this, to all the Counties in *England*, when his Justices do go the Circuits, and oftner, as Occasion requires.

The Scope and End of those Commissions is, to enquire of, hear, determine, and punish all Crimes, Offences, Misdemeanors, and Abuses, that are against the Dignity of the King, against the Peace and Well-government of the Kingdom, or against the Security of the Subject, in his Rights and Property; that in the due Execution of those Commissions, the Publick Peace, and good Government, is provided for in all Parts of this Land; that those Commissions are bounded within the Land, and no Crime or Offence is enquirable by them, but such as is committed within those Counties or Liberties to which they are limited; just so is the Commission now read as to the Scope and End of it: It is to enquire of, hear, determine, and punish all Crimes, Misdemeanours, Offences, and Abuses, either against the Dignity of the King, against the Peace and good Government of the Kingdom, or against the Rights and Security of the Subject, when and as often as such Crimes and Offences happen to be committed upon the Sea, or in some Haven, River, Creek, or Place, where the Admiral hath Power and Jurisdiction.

So that the Scope and End of both Commissions is one and the same, but the Bounds and Limits are different and distinct. That of the ordinary Sessions and Goal Deliveries, relating to Things done upon Land; this, to Things done upon the Water.

Every *Englishman* knows, that his Majesty hath an undoubted Empire and Soveraignty in the Seas that environ these his Kingdoms, which by the ancient Statute* Laws, are called the *quatuor Maria*, by Foreigners, and by our modern Treaties, the *British* Seas. And it is certain, that Empire or Soveraignty is precarious, nominal, or titular only, where the Soveraign doth not keep and maintain the Publick Peace. To keep the Peace, and to punish those that violate it, being the chief *Ensigne*, as well as the principal Business of all Empire and Government; 'tis this that gives his Majesty a Right, and indeed lays on him an indispensable Obligation, to keep the Publick Peace upon the Seas; that is, to preserve his Subjects and Allies in their Possessions and Properties upon these Seas, and in all Freedom and Security to pass to and fro on them, upon their lawful Occasions.

But besides these four Seas, which are the peculiar Care, and as it were, Part of the Domaine of the Crown of *England*, his Majesty hath a Concern and Authority (in Right of his *Imperial* Crown) to preserve the publick Peace, and to maintain the Freedom and Security of Navigation all the World over: So that not the utmost Bound of the *Atlantick* Ocean, not any Corner of the *Mediterranean*, nor any Part in the *South* or other Seas, but that if the Peace of God and the King be violated upon any of his Subjects, or upon his Allies or their Subjects, and the Offender be afterwards brought up or laid hold on in any of his Majesty's Ports, such Breach of the Peace is to be enquired of, and tryed in Vertue of a Commission of Oyer and Terminer, as this is, in such County, Liberty, or Place, as his Majesty shall please to direct. So long an Arm hath God, by the Laws, given to his Vicegerent the King; and so odious are the Crimes of *Piracy*, Bloodshed, Robbery, and other Violences upon the Sea, that Justice observes and reaches the Malefactors, even in the remotest Corners of the World; and Vengeance pursues them close at the Heels to their own Homes; where they seldom escape those Punishments they have deserved.

This

* 18 *Ed.* I. *de mº Levandi fines.*

This Power and Jurisdiction which his Majesty hath at Sea in those remoter Parts of the World, is but in Concurrence with all other Soveraign Princes that have Ships and Subjects at Sea; and it is on this special Regard that *Pirates* are called *Hostes Humani Generis*; in that as they do give themselves the Liberty of making a Prey without Distinction of all Nations, and all manner of People; and do, as much as in them lies, hinder that mutual Amity and Supplies, which Providence hath ordained as the Means to cherish and preserve that Humanity and Sociableness, which distinguishes not only Christians, but all Men, from Savages and Beasts of Prey; So all Nations and Soveraign Princes that meet with them, have a just and competent Authority to execute the Law upon them: And they are therefore esteemed to be out of the Protection of all Princes, and of all Laws; because every *Magistrate that bears the Sword for the Terror of those that do evil*, is to draw it against them; and is made a Minister to execute Justice upon them, whenever they can lay hold of them. How keen the Prosecution against them was, even in the mildest Ages of the World, will appear by the ancient *Imperial* Law; the Judges who were by Law to have that Regard to certain Festivals and Times of Devotion, so as not to hold any Criminal Pleas upon them, being expresly commanded not to forbear any of their Proceedings even upon the most solemn Times, when any of the *Isauri* [a] (the *Corsaires* of those Times) were brought before them, making this Piece of Service for the publick Security to be *tant a mount* to an Act of Religion and Worship to Almighty God.

So that whatever Obligation or Advantage his Majesty hath, in having his Laws put in due Execution against Robbers and Highwaymen upon Land, the same he hath in Proportion to have it done effectually against those at Sea. Since Trade cannot flourish where there is not Security for those that manage it, and Shipping and Navigation must decay (especially in an Island as this is) where foreign Trade and Commerce doth not flourish with Safety and Freedom.

This Consideration made our Kings always zealous for the Security and Freedom of our Trade at Sea, and made them establish Laws and Ordinances for preserving the publick Peace, and the ancient Discipline of the Seas.

Not to mention the Laws of *Oleron*, which King *Rich*. I. gave his Royal Stamp to in that Island, part of the Inheritance of his Queen, a Countess of *Guienne*, nor the ancient Ordinances of King *John* and *Edw*. I. in the Black Book of the Admiralty, a Monument of Antiquity well known, the Care that *Edw*. III. took, how Merchants Strangers, as well as his own Subjects, may with most Ease and best Speed come to their Goods, when they are despoiled of them, is well worth our Notice; and the rather, in that that Statute (which is the 13*th* Chap. *Stat. Staple*) is one of the Statutes that the Justice of this Court is specially directed to enquire of, and to put in Execution. But no Statute that we have, shews the Value that we ought to have of the publick Peace, and the Security of our Navigation, like that of 2 *Hen*. V. *c*. 6. that great Prince makes it no less than High Treason to break the Truces made with *France*, or to violate his safe Conducts, by Killing, Robbing or Spoiling of Merchants Trading and passing to and fro upon our Seas, and High Treason not only in the principal Actors, but in such as should maintain, abett or conceal them; so deeply concerned was the Honour of the *English* Nation in the Judgment of that Prince and his Parliament, to have the Truces and safe Conducts of the King kept sacred and inviolably, and to have these Seas scour'd of Rovers, tho' it was in the Time of War, where it might be pretended, that the Trade of the Enemy was to be disturbed by such Means. So much for the Scope and End, or rather the Necessity of this Commission.

The next Thing that is to be spoken to, is the *Extent* and *Limits* of it.

In a Word, the Statute hath fixed them, the Enquiries and Presentments are to be of Things done *upon the Seas*, or *in any Haven*, *River*, *Creek*, or *Place* where the Admiral hath or pretends to have Power, Authority or Jurisdiction.

The Word *pretend*, may seem to denote some Uncertainty; but Lord Chief Justice *Coke* [b], in the Exposition of this Statute, clears it thus; That between the High-water Mark and the Low-water Mark, the Admiral hath Jurisdiction *super aquam*, when the Sea is full, and as long as it flows, tho' the Land be *infra Corpus Comitatus* at the reflow, so as of one Place, there is (says he) *Divisum Imperium* at several Times.

But the *Commission it self* explains the Word in a more particular Manner, in directing the Enquiry to be of Things done, not only upon the Sea, and in Havens, Creeks and Rivers, as in the Statute, but also in all Places whatsoever within the flowing of the Water, to the full Sea-Mark; and in all great Rivers from those Bridges downwards that are next the Sea: Which Words being in the Commission, are the best Comment upon the Statute, it having so often pass'd the great Seal in these last sevenscore Years, under the View and Approbation of so many Lords Chancellors and Keepers, and of so many Attorney Generals, Men of the greatest Eminency in the Laws of the Land, so that

[a] C. *de Feriis*, L. 10. C. *ad Legem Jul. de vi publ.* l. *ult.* [b] 3 *Inst*. p. 113.

that the Words of the Statute and the Commission being taken together, do not only ascertain the Power of this Court, to hear and determine Offences done in all or any of those Places, but do also declare all and every the Places themselves to be within the Jurisdiction of the Admiralty; for otherwise, the Jurisdiction of the Commissioners since the Statute, would be of larger Extent, and in more Places than the Jurisdiction of the Admiral was before the Statute, which 'tis clear was not intended by the Lawmakers.

Having thus shown you the Grounds and Reasons of this Commission, as also the Bounds and Limits of your Enquiry, that it must not be of Things done upon the Land within the Body of a County, but of Things done upon the Sea, in Havens or Creeks, or else upon Rivers beneath those Bridges that are nearest the Sea. I come now to the Subject Matter of your Enquiry, and to *the Particulars* which you are, in Vertue of your Oaths, to present. I shall reduce them to three Heads.

Under the *first*, I shall place the Treasons, Felonies, and Confederacies, pointed at in the Statute of *Hen.* VIII. which is the Ground of this Commission.

Under the *second*, those Offences and Misdemeanours, which are made so by several other Statutes recited in the Commission, for the due Observation of which, this Court are made Justices of Peace and Goal Delivery, in those Cases where the Transgression is upon the Water: Under this Head I shall reduce those Things which are Offences and Misdemeanours at Common Law; you being to enquire of, and present them also when they are committed *upon the Sea*, or within the Limits of this Commission.

Under the *third* Head, I shall reduce those Misdemeanours and Abuses that are contrary to the ancient Laws and Usages of the Sea, and contrary to the particular Constitutions and Ordinances of the Admiralty of *England*, for the Commission directs those Things to be enquired of here also, tho' they may be punish'd *solely, before the Admiral* or his Lieutenant in the Court of Admiralty.

I begin with those of the first Rank, but the blackest and most heinous in the Eye of God and Man. They are, as the Statute of *Hen.* VIII. enumerates them, *Treasons, Felonies, Robberies, Murthers, Manslaughters* and *Confederacies*.

You are therefore to enquire of all Treasons or traiterous Conspiracies upon the Sea, or in any Haven, River, Creek, or Place within the Limits of this Commission, against the sacred Person of our Soveraign Lord the King, against his Royal Consort, the Queen, or against his Regal State and Dignity.

'It is High Treason to compass, imagine, invent, devise or intend Death or Destru-
'ction, or any bodily Harm tending to Death or Destruction, maim or wounding,
'Imprisonment or Restraint of the King's Person, or to depose him from the Stile, Ho-
'nour or Kingly Name of the *Imperial* Crown of this Realm, or of any other his Ma-
'jesty's Dominions or Countries, or to levy War against his Majesty upon the Sea,
'within this Realm or without it, or to move or stir any Foreigners or Strangers
'with Force to invade this Realm, or any other his Majesty's Dominions or Countries,
'being under his Majesty's Obeisance.

'It is High Treason to be adhering to the King's Enemies upon the Sea, that is, as
'the Statute of 25 *Edw.* III. explains it, to give them Aid and Comfort, under which
'is comprehended, giving or holding Intelligence with any Enemy or Rebel against
'the King.

'It is High Treason wilfully and rebelliously to bar, block up, and stop any of his
'Majesty's Ports, or navigable Rivers, Havens, or to betray, or carry away any of his
'Majesty's Ships in a Time of War, or wilfully to burn or destroy them.

'It is High Treason to counterfeit the King's great or Privy Seal, or his Majesty's
'Coin that is Current, and 'tis enquirable here, if it be done *upon the Sea*, or in any
'Place else, within the Limits of this Commission.'

I say it is High Treason not only to do and execute those horrid Things upon the King's sacred Person, or against his regal State, but also to compass, imagine, or intend them, when such Compassings, Imaginations, Devices or Intentions, are expressed or declared by some *ouvert* Act, that is, by any Printing, Writing, Preaching, or malicious and advised speaking, as the first Act of this Parliament explains it.

Your Business is now to enquire, if any of those black and hellish Things have been hatch'd upon the Sea, or in any other Place upon the Water within the Limits of this Commission; tho' I am perswaded you will find none, for we seldom hear of Treasons hatch'd at Sea: The *English* Loyalty displaying it self there in its brightest Colours. Our Seamen having been as forward, and as early, as any other of the King's Subjects, in his Majesty's most happy Restauration, and having far exceeded all other Nations in their martial Valour and Zeal, written in Blood for the Defence and Honour of our King and Country.

In

13 Car. 2. c. 13. 18 Eliz. c. 1. 14 Eliz. c. 1. 13 Eliz. c. 1. 5 Eliz. c. 11. 1 Eliz. c. 6. [illegible] Eliz. c. 2.

In *Treasons*, you are to inquire of all Aiders and Abettors, Counsellors, Maintainers, and Receivers of Traitors; the Law reputing all such to be Traitors and Principals.

You are to enquire of all *Petty-Treasons*; those are, when a Servant kills his Master, or a Wife her Husband.

The next Sort of Offences mentioned in the Statute of *Hen.* VIII. are *Felonies*; that is, certain Crimes, which have the Judgment of Death for their Punishment, either by some Stat. Law, or else by the Common Law of the Realm.

Among them, *Murder* is the most heinous; 'tis reckon'd by the old Laws before the Conquest *, *inter Scelera nullo humano Jure expiabilia.* For this Offence there were no Cities of Refuge under the Law of *Moses*; nor is there any Favour in the Laws of *England:* For a Pardon of all Felonies in general, is held to be no Discharge of a Murder.

You are to enquire of all Murders committed upon the Sea, or within the Bounds of this Commission. 'Tis Murder when one kills another that is under the King's Peace with Malice forethought, either express'd by the Murderer, or imply'd by Law, and the Party die of the Wound or Hurt within the Year and the Day. Whether the Wound be given, or the Hurt done privately or openly; whether it be on an *Englishman*, or a Foreigner; whether it be by violent Assault, or by Poison covertly administred, if it be done *sedato animo*, if there be Malice propensed, it is Murder.

So 'tis in some Cases where there is no such Malice or Forethought, but imply'd by Construction of Law; as, 1. When one killeth another, without any Provocation on his Part that is slain, or stabs a Man that is out of Defence, and had not given the first Blow. 2. Or when one kills an Officer of the King's, serving any Process; or a Watchman upon the Watch doing his Duty. 3. So if one Man assault another to rob him, and in resisting he that have been robb'd is kill'd, here the Law implies Malice, tho' the Aggressor never saw the other before.

You are to enquire of such as by hanging, drowning, or otherwise, have made themselves away; if their Bodies have not afterwards been found, and the Coroner of the Admiralty has not made his Inquisition *super visum corporis*; if he has, there is no Traverse to what he hath found; if he has not, you may enquire, but the Executors of the Party may have a Traverse.

You are to enquire of all *Manslaughters*; if any Person hath killed another upon a sudden falling out, a *chaude demêle*, or Scuffle, this is such a Manslaughter as the Law makes Felony, tho' not without *Benefit of Clergy* the first Time.

You are to enquire of the Accessaries after the Fact, for in Manslaughter there can be none before the Fact; but in Murder there may be both before and after. There is a Manslaughter in Defence of a Man's self, which you are also to enquire of; for in this Case, tho' the Statute of *Glocester* save the Man's Life, (before which he would have suffer'd Death by the Common Law) yet he shall forfeit his Goods and Chattels, except he be a Pirate or Thief whom he kills, who offers to rob or murder him in his own Ship; nor if he kill a Man that resists him in executing a lawful Warrant; in these Cases he forfeits nothing.

There is another Sort of *Homicide*, which is by *misadventure*; or, as the Common Law calls it, *chance medley*; where a Man is doing a lawful Act, without any Intent to hurt another, and Death casually ensues. This being neither with Forethought, nor voluntary, is no Felony. But you must be sure to examine and weigh, whether the Fact that was the Cause of Death, was lawful or unlawful. If unlawful in it self, or if with an evil Intent, then 'twas Murder.

The Calender of the Goal, makes me think you will be concerned to weigh and examine very seriously, the Case of a *Master beating his Servant*, who dies of that beating within the Year and the Day. For a Master to give Correction to his Servant, that is misdoing or behaving himself undutifully or obstinately, is a lawful Action, if he do it with Reason and Moderation; and he that does it *so*, must be thought to have done it without evil Intent. But if he beat him in a Passion, in a Fury, with a Resolution of doing Mischief, *Ira vel odio nequiter & in felonia*, or where the Instrument exceeds the proper Proportion, the Action is not lawful, because the Intent is evil.

There is no such Thing as *a Slave* in *England*; no Master hath Power over the Life and Limbs of his Servant; they are under the King's Protection. The Stat. of 33 *Hen.* VIII. *c.* 12. that provides against Bloodshed in the King's House, sufficiently shews, that Masters, tho' they be Peers of the Realm, or the greatest Men, are yet accountable for the Life even of their meanest Servants, if they come to untimely Death after Blows given for Correction. For tho' the Statute does not disallow a Nobleman or any other Person, to strike his Servant with his Hand or Fist, or with any small Staff or Stick, for Correction upon an Offence, yet if the Person so struck, die of the Blow within the Year, the Statute gives no Protection in this Case; the Striker is left to the Law.

* *Leg.* Canuti. *part* 2. *cap.* 62.

Law. So in the Statute of Labourers, 5 *Eliz. c.* 4. tho' the Power of giving due and moderate Correction to Apprentices, be not there taken away from Masters, yet in case of a Refractoriness in an Apprentice, it directs, as the safer Way, that the Justices of Peace, or other Head-Officers, shall minister due Correction to such a one, as by their Wisdoms and Discretions shall be thought meet.

However, you are to enquire of Persons that come to their Death *by misadventures*; for tho' there be no unlawful Act, or evil Intent in the Case, yet he that kills, forfeits his Goods and Chattels that are within the Jurisdiction of the Admiralty; so odious in the Eye of the Law is the Effusion of Man's Blood, that the Law punishes what we call meer Misfortune, and allows of no Excuse or Precaution sufficient in that Action where Death hath ensued; and 'tis for that Reason, that every Moveable, inanimate or animate, that moves to, or causes the untimely Death of any Person, becomes a *Deodand*, and that is forfeit to the King, who is intended to imploy the Value to some pious Use.

The next Sort of Offences pointed at in the Statute, are *Robberies*; and a Robbery, when 'tis committed upon the Sea, is what we call *Piracy*. A Robbery, when 'tis committed upon the Land, does imply three Things: 1. That there be a violent Assault. 2. That a Man's Goods be actually taken from his Person, or Possession. 3. That he who is despoil'd, be put in Fear thereby.

When this is done upon the Sea, when one or more Persons enter on Board a Ship, with Force and Arms, and those in the Ship have their Ship carried away by Violence, or their Goods taken away out of their Possession, and are put in a Fright by the Assault, this is *Piracy* *; and he that does so is a *Pirate*, or a *Robber*, within the Statute.

Nor does it differ the Case, tho' the Party so assaulted and despoiled, should be a Foreigner, not born within the King's Allegiance; if he be *de Amicitia Regis*, he is *eo nomine* under the King's Protection; and to rob such a one upon the Sea is *Piracy*.

Nor will it be any Defence to a Man, who takes away by Force another's Ship or Goods at Sea, that he hath a Commission of War from some Foreign Prince, unless the Person he takes from, be a lawful Enemy to that Prince. 'Tis a Crime in an *Englishman* to take Commission from any Foreign Prince, that is in open War with another Prince or State. 'Tis *Felony* in some Cases, 'tis always punishable as a great *Misprision*, since his Majesty hath forbid it by various Proclamations. Yet if a Man doe take such a Commission, or serve under it, then 'tis no Robbery to assault, subdue, and despoil his lawful Enemy, nor yet to seize and carry away a Friend, supposed to be an Enemy, provided he do bring that Friend, without pillaging or hurting him, or taking any Composition from him, to Judgment, in some Port of that Prince whose Commission he bears. 'Tis not only *Piracy*, when a Man robs without any Commission at all, but 'tis *Piracy*, when a Man having a Commission, despoils and robs those which his Commission warrants him not to fight or meddle with; such, I mean, as are *de Ligeantiâ vel Amicitia Domini nostri Regis*, and also *de Ligeantiâ vel Amicitia* of that Prince or State that hath given him his Commission.

You are therefore to inquire, if any Persons have committed Robbery upon the Sea, entering with Force and Arms into any Ship or Vessel belonging to the King's Subjects, or to the Subjects of any Prince or State in Amity with the King, and not in War with any Prince that hath given a Commission to such Aggressor. Or, if after such entering and boarding the Ship or Vessel, they have feloniously carried and sailed away with the Ship it self, or taking away any Merchandizes, or Goods, Tackle, Apparel, or Furniture out of it, thereby putting the Master of such Ship and his Company in Fear.

You are carefully to Present such Persons, their Names, Surnames, and Additions, their Places of Abode and Occupation, the Ships and the Goods they have spoil'd and robb'd; the Persons they have so assaulted and despoiled; the Kinds, Quantities, Values of the Goods they have taken away; the Names and Burthens of the Ships or Vessels they committed the *Piracy* in; and where those Vessels, the Goods, and the *Pirates* themselves now are; together with the Time, Place, Manner, and Circumstances, as distinctly as you can.

You are to enquire of all such as have been Accessaries to such Robbers, in aiding, abetting, comforting, or receiving † them. For there may be Accessaries in this as well as in other Felonies, and they are punishable here; *Piracy* being now made *Felony* by a Statute Law, and when any Offence is *Felony*, either at the Common Law, or by Statute, all Accessaries both before and after are incidently included.

There are several other Things that are *Felonies*, as cutting out the Tongue, or putting out the Eyes of any Subject of his Majesty, with Malice propensed: So is the horrid Sin of *Sodomy*, not to be named, and *Felonious Rapes*, all which may be done upon the Sea.

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* *Farinac. tom.* 7. *Qu.* 166. *de Furtis n.* 7. *Vid. Novell.* 134. *cap. ult.* *Farin. ib. n.* 29. *de pœna ib. c.* 16. *part* 1. *n.* 32. 3 *Jac. c.* 4. † Jac. Gothofred. *de famosis Latronibus investigandis, p.* 23.

The last Sort of Offences specified in the Stat. of *Hen.* VIII. are *Confederacies*; and these are of several Sorts.

You are to enquire, if any Ship Carpenters, or other Workmen, being imployed to work in any Haven, Port, or Creek, or in any Place within the flowing or reflowing of the Water, for the building, repairing, or fitting out of Ships, have confederated not to work under such and such a Rate; or not to work but at such Hours of the Day; or else not to finish a Work that another hath begun: This was anciently * *Felony* in some Trades, and 'tis still severely punishable.

You are to enquire of such Masters of Ships, and others, as have colourably, and by Fraud and Confederacy with *Foreigners*, gotten Foreign Bottoms, or Ships, to be made free, while *Foreigners* have any Interest in them. You are to Present those Ships and the Confederates. Or if any have confederated, and taken in on Board them any Goods or Merchandizes to be exported, or else to be imported, *in fraudem Legis*, and contrary to the true Intent of the several † Acts made since his Majesty's most happy Restauration for the *Encouragement of Navigation*. Or if any being upon the Water, have confederated and received Goods or Merchandizes on Board them, or else deliver'd out Goods or Merchandizes from on Board them, without paying his Majesty's Customs: This we are likewise enjoined, by an ancient Constitution of the Admiralty, to enquire after with all Diligence. If any Seamen, Officers, or common Mariners, have either upon the Sea, or in any Port, (especially in any Foreign Port) by mutinous Words or Practices, invited each other, or conspir'd together, to oppose or disobey their Commanders, or to obstruct or hinder any Service they were upon, especially to hinder or break any Voyage in Hand; I say, such Confederacies are intolerable; 'tis the Dishonour of our Nation, the Ruin of our Merchants, and the Destruction of our Trade; therefore to be enquired after most diligently, and to be punished most severely.

There is another Sort of Confederacy much more dangerous than all this, because it involves in it a publick Affront to the Crown and Dignity, to the Right and Soveraignty of the King, and also a publick Disgrace and Reproach to this Nation. It is, when Foreigners Privateers, or others, do confederate and refuse to give and allow to his Majesty, his ancient *Right of the Flag upon his four Seas*; or his undoubted *Right of Sanctuary* in his Ports, and other Places of Safety, commonly called the *King's Chambers*; or when they conspire to disallow his Right of safe Conduct to such Ships as his Majesty shall grant his Royal Letters of safe Conduct to pass these Seas in a Time of War, as this is. All these are direct Confederacies against the King, to usurp his Rights, and by degrees to incroach upon a Possession, the most constant, uninterrupted, and ancient, in the whole World.

You are therefore to enquire, if any Foreign Ship, Man of War, or other, being met with in any Part of the four *British* Seas, hath refused to *strike her Flag*, and *lower her Top-Sail*, to any of his Majesty's Ships or Vessels, carrying his Majesty's Flag, Ensign, or Jack. Or if any Captain or Commander of any Ship or Vessel, carrying the King's Flag, Jack, or Ensign, hath not demanded that Respect due to the King's Colours, when it was delayed, or refused, or not paid at the due Time, and after the accustomed Manner, and hath not pursued such Refusers as *Pirates*. Or if any Foreign Men of War have presumed to wear any of his *Majesty's Colours*, or the Colours of any Prince or Nation, saving their own, in these Seas. Which is ever the true Badge of a *Pirate*, and those that do it, are to be pursued as such.

The next Thing is, the *Right of Sanctuary* and *safe Conduct*, which the King hath Time out of Mind exercised, not only in his Harbours and Ports, but especially in his *Chambers*; that is, in those Tracts of Sea which are between some of the most eminent Promontories, or Points of Land (a strait imaginary Line being drawn between them); for instance, between *Flamborough Head* and the *Sporn*, between the *North Foreland*, and the *South Foreland*; between *Portland* and the *Start*; between the *Land's End* and *Milford*; these Chambers being so reputed Time out of Mind, and so return'd in the Year 1604, (about 70 Years ago) by Jurors upon their Oath, to the Court of Admiralty.

You are therefore to enquire, if any Men of War under Foreign Commissions, from any of the Parties now in War, do lie hovering near any of his Majesty's Ports, Havens, or Harbours; or skulking within any of those Spaces called the *King's Chambers*, in order to surprize Merchants Ships belonging to the King's Friends and Allies, and to snap them as they are coming or going out of our Ports; you are to present such if you know any, and the King's Majesty is to be inform'd of it out of the Records and Presentments of this Court; that they may be seized and arrested, if they be driven, or do come in, or else may be fetch'd in by his Majesty's Ships, and punish'd as wilful Violators of the Treaties his Majesty hath with his Neighbours, and as malicious Disturbers of our Trade.

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* 2 and 3 E. VI. † 12 and 13 Car. II.

You are to enquire if any Men of War have presumed to search, stop, or carry away by Force, our Merchant Ships in their Course at Sea, under Pretence of Suspicion that they belonged to their Enemies; if they have brought them out of their Course to their own Ports without sufficient Cause, such as is allow'd of by Treaty between his Majesty and the Prince or State from which the Man of War hath his Commission; that is a grievous Trespass, and the Party that hath done it, coming into any of his Majesty's Ports, may be arrested, and his Ship made to answer and satisfie the Merchant's Damage. If they have robb'd or pillaged them, it is downright *Piracy*, as I have already told you.

You are to enquire, if any foreign Men of War have broken the safe Conduct granted by his Majesty to any of his Allies within the four Seas, or have presumed to fight or act Hostilities against each other, when any of his Majesty's Men of War were in Sight, and had given the Signal to forbear and keep the Peace. These Rights of the *Flag*, of giving *Sanctuary*, *Protection*, and *safe Conduct*, are Emanations of his Majesty's Sovereignty in these Seas, and where you know of any Thing done to the Infringement, or in Derogation of them, you are to present and specifie the Particulars, to the End they may be laid before his Majesty, that he may, in his Royal Wisdom, provide some Remedy and Redress, either by giving Orders to his Men of War at Sea, or to his Officers in Port, to arrest such Ship and Commanders, as shall have offended in any of these Particulars, or else may, by his Ministers and Ambassadors abroad, demand such Reparation and Satisfaction, as by the Law of Nations is due.

Having done with the Crimes and Offences, specially directed in the Statute of *Hen.* VIII. to be here enquired of; I shall in a very few Words tell you, what you are to enquire of upon *other Statutes* related to and specially *cited in this Commission*, for the due Execution of which, the Justices of this Court are specially appointed by his Majesty, to be his Justices of Peace and Goal-Delivery.

You are to enquire of all *Nusances* and *Abuses upon our Salt-Waters* and Navigable *Rivers*, beneath those Bridges that are next the Sea; by erecting of Water-Mills, Wears, Stakes, or Kiddles, whereby the free Course and Passage of Boats and Vessels is hindred, or the young Fry of Fish destroy'd, and you are to present as many as are within the Limits of this Commission.

You are to enquire of all such as have cast *Ballast*, *Rubbish*, or Filth, into our Navigable Rivers, below the Bridges next the Sea, or have laid any Stones for Lighters or other Boats in the River of *Thames*, and not laid them a Yard deep in the Ground; for by that Means our Harbours and Channels come to be choak'd up, and the passing and riding of Ships at Anchor become daily more and more unsafe.

You are to enquire of all such as use any *unlawful Arts*, Engines, Nets, or Means, to *catch Fish* withal upon the Sea, or below the lowest Bridges, contrary to the Statutes in that Behalf provided, and contrary to the ancient Ordinances of the Admiralty, likewise such as do destroy Fish out of proper Seasons, or while they are of an unsizeable *Growth*, and particularly such as dredge for *Oysters*, between the 3*d* of *May* and the 14 of *September*, that is, out of the Seasons prefix'd by the ancient Statutes of the Admiralty.

You are to enquire of all *Forestallers*, *Regratters*, and *Engrossers* of our Merchandizes and Provisions, while they are yet upon the Sea, or in our Rivers in the Way to our Ports or Markets, or diverted them from coming to Market, thereby to keep up the Rate of their Commodities. This was anciently *Felony* in some Cases, and is still severely punishable by Law.

You are to enquire, if any use *false Weights* and *Measures* upon the Water; if any *Customers* or *Comptrollers* have Ships of their own trafficking; If any do hire and employ foreign Bottoms, where there is Plenty of our own to be had at reasonable Rates. Or if any Custom-House Officers, Water-Bayliffs, and others, do exact or receive any *illegal Fees* or Gratuities upon the Water, to the Dishonour of the Government, and to the Prejudice of our Ports in the Point of Trade. Touching this, we have a special Constitution of King *John*'s in the Admiralty, enjoyning that strict Enquiry be made after such *Exactions* and *Extortions*.

You are to enquire, if any Persons have possess'd themselves of *Goods* or Merchandizes *cast away by Storms*, or else stranding, bulging, or splitting against Rocks, when any living Creature (tho' but a Dog or Cat) is escaped with Life out of the Ship or Vessel so cast away, such Goods are no Wreck, the Custody of them belongs to the Admiral, and they are to be restored to the Proprietors without any Fees or Salvage, but what the Pains and Labour of those that sav'd them, may reasonably deserve.

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3 Ed. I. *c.* 45. 45 Ed. III. *c.* 2. 12 Ed. IV. *c.* 7. 13 Rich. II. *c.* 19. 17 Rich. II. *c.* 9. 1 Hen. IV. *c.* 12. 2 Hen. VI. *c.* 15. 34 & 35 Hen. VIII. *c.* 9. 1 Eliz. *c.* 17. 3 Jac. *c.* 12. 27 Ed. III. *c.* 13. 5 & 6 Ed. VI. *c.* 14.

You are to enquire of such Masters of Ships as have willingly or wittingly received any Silver, Gold-Plate or Bullion on Board them, to be transported over Sea; or any Wooll, Leather, Tallow, Fullers Earth, raw Hides, live Sheep, Lambs, or any other Commodity prohibited by Law to be exported, either absolutely, or without Licence, out of the Kingdom.

You are to enquire, if any Masters or Commanders of Merchant Ships, meeting with *Turks*, Pirates, or Sea-Rovers, have yeilded up their Ships, or suffer'd any Goods or Merchandizes to be taken from them without fighting, unless it were in a Case, where the Enemy had more than a double Force to theirs; or having Ships of 200 Tuns Burthen or upwards, and mounted with 16 Guns or more, have yeilded to any Force whatsoever without fighting; such Masters are to be declared for ever incapable of taking the Command of any *English* Ship upon them; and if they do, then to suffer Imprisonment during the Space of 6 Months for each Offence. Or if such Masters of Ships have accepted of any Freight, Reward, or Gift, from such *Turks* or Pirates, either in Money or Goods: Their Part of such Ship, (if they have any in it) and all they are worth, is to go to repair the Merchants Damages.

You are to enquire, if any *Mariner*, in these Cases of meeting with Pirates, hath declar'd, or refus'd to join with their Master and Commander, to fight and defend their Ship; or if any *Mariner* have laid violent Hands on his Commander, thereby to hinder him from fighting; this is made *Felony*. Or if any Master of an *English* Ship being at Sea, and having discovered any Ship that haled him to be a *Turkish* Ship, Pirate, or Sea-Rover, hath departed out of his Ship, and gone on Board such Sea-Rover, thereby hazarding his own Ship, by his Detension on Board the other. Or if any Masters of Ships have insur'd their Ships, or taken upon *Bottomry* greater Sums of Money than the Value of their Adventure, and have afterwards wilfully cast away, or otherwise destroyed their Ships, or procur'd it to be done by others; this is *Felony*.

I have now done with the *Statute Laws*, referr'd to by the several Titles in the Commission; but the Directions of the Commission end not there; for *all Statutes*, *Ordinances*, and *Proclamations*, that are for the Good of Peace, for the Safety and good Government of the Kingdom, are to be observ'd at Sea (as far as they are practicable there) as well as at Land: And when they are transgress'd or contemn'd at Sea, they are here to be enquired of and punished. Therefore you must take this one general Rule along with you, that whatever is Treason, whatever is Felony, whatever is Misdemeanour, whatever is a Nusance, or an Offence, whatever is Misprision, or an Abuse committed upon the Land, and is enquirable by a Jury within the Body of a County, the same Thing being committed upon the Sea, or within the Limits of this Commission, must be reputed and adjudged Treason, Felony, Misprision, Offence, Misdemeanour, Nusance, Abuse, &c. it is the same Thing, it carries with it the same Guilt, it is liable to the same Degrees of Punishment, and you are bound to enquire of it, and present it.

The next Things I shall commend to you, are some few Things that are made enquirable by the *Laws of the Sea*, and the ancient *Constitutions of the Admiralty*.

The first relates to the *Flag*: You are to enquire, if any Masters, or Commanders of Merchant-men, have presumed to wear his Majesty's Jack, commonly called the *Union Jack*, or any other Jack, in Shape or Mixture of Colours approaching to it, so that it cannot be easily distinguished from the King's Jack; or any other Flags, Jacks, or Ensigns whatsoever, than those usually worn on Merchant Ships, *viz.* the Flag and Jack white, with a Red Cross, commonly called St. *George*'s Cross, passing quite thro' the same, and the Ensign Red, with a Cross on a Canton white, within the upper Corner thereof next to the Staff.

And if any of our Merchant-men, *English*, *Scotch*, *Irish*, or belonging to any of his Majesty's Dominions and Plantations, meeting with any of his Majesty's Ships or Vessels, carrying his Majesty's Flag or Jack, have presum'd to approach too near before they did their Duty by *lowering their Topsail*; this is an Insolence that our own Countrymen are sometimes guilty of: We have known them before the Troubles fined smartly for daring to come too near the King's Ship before they struck; some 200*l.* some 300*l.* nay, some 500*l.* You are to enquire of these Men, that teach our Neighbours to behave themselves unmannerly, and give them a Pretence to deny an undoubted Right of the Crown.

You are to enquire, if any have received and harbour'd Traitors, Felons, or outlaw'd Person, or Enemies of the King, in the late Wars, on Board any Ship or Vessel at Sea, or in any Harbour or Creek, or carried them over Sea. If any, during the late Wars, having taken any Prisoners of War, and afterwards discharged, or put them to Ransom, without the King's and the Admiral's Knowledge. Or if any in the late Wars, have stopt any Ships or Vessels at Sea, belonging to the Subjects of his Majesty,

17 Ed. IV. c. 1. 7 Ed. VI. c. 6. 1 & 2 Ph. & M. 1 & 14 Eliz. 8 Eliz. c. 3. *Vid.* Proclamation, *Sept.* 18. 1674.

or his Allies, and pillaged them, afterwards letting them go, this is *Piracy*; or having taken such as were really Prizes from the Enemy, and have broken Bulk, or imbezzled them, or subducted the Evidence or Documents belonging to them, before they brought them to Judgment, or else accepted Composition for them, or carried them to Foreign Ports, without bringing them to Judgment.

You are to enquire, if any Ships or *Mariners, being prest* for the King's Service, have been withdrawn, or run away, or left it without a lawful Discharge. Or if any of the King's Subjects, or the Subjects of any of his Allies, nay, if any of his Enemies in the Time of the late War, have been evil intreated by any Persons, acting or pretending to act by the King's Commission, by beating, torturing, or abusing them, contrary to the Law of Arms, and the Permissions and Usages of War. If any Captains or Commanders of the King's Men of War, having any Merchant-men in their Charge or Convoy, have not defended them in all Dangers, as Men of Courage and Fidelity ought to do, or have exacted any Gratuities or Rewards from them, contrary to their Instructions.

You are to enquire, if any have bought Prize Goods of any Foreign Ships, coming in this Time of War Abroad into our Ports, without their having special Leave to sell, for their necessary Victualling or Repairs, to enable them to reach their own Ports. The buying such Goods, where there is no special Permission to sell, being prejudicial to that *Neutrality*, which his Majesty is pleased to observe and maintain towards the several Parties now in War, and against several Treaties now in Force between his Majesty and his Neighbours.

You are to enquire, if any have taken upon them to conduct Ships or Vessels *as Pilots*, being not first approv'd of by the *Trinity-House*; and if any Vessels came to miscarry, or to suffer Loss through their Negligence or Want of Skill, 'twas Death without Mercy by the ancient Laws of the Sea; it was Death likewise if any did remove an Anchor out of its Place, without first giving Notice to the Ship it belong'd to, if the Death of any Man, or the Loss of the Vessel, ensued upon it.

You are to enquire of all *Larcenies*, that is, all fraudulent and injurious taking of other Men's Goods, without the Knowledge of the Owners, and in their Absence; where the Thing stollen is above the Value of 12 Pence, 'tis Death by the ancient Customs of the Admiralty; if under that Value, 'tis but *petty Larceny*.

You are also to enquire, of those that rob and pillage his Majesty's Stores or Provisions, out of any of his Ships or Vessels, and of those that being intrusted with them do imbezzle or make them away at Sea, or in Foreign Ports, fraudulently and falsly, contrary to the Trust reposed in them.

You are to enquire of those that steal *Anchors* and *Cables*, *Long Boats*, *Buoys* or *Buoy-Ropes*. He that anciently stole a *Buoy* or *Buoy Rope*, tho' of never so little Value, suffer'd Death as a Felon. And of those that maintain and use *Bumboats*, as they call them upon the River; they are a great Abuse, and, as I may call it now, become a publick Nusance; for young People that are by their Masters intrusted, are under a perpetual Temptation to be cheated by those in the *Bumboats*, till at last they become Cheats, Thieves, and false to those that trust them.

But above all Things, you are to look to the Honour and Safety of your *Ports*, that Strangers and others may be as safe in their Ships, as in so many Castles, from Thieves and Robbers by Night. And such was the Care of our Ancestors anciently for Strangers, that if a Foreign Vessel lying in Harbour or Port was robb'd in the Night, the Admiral took six or seven of the most sufficient Neighbours next to the Place, and put them in ward, till the Thief was found out, and the Foreigners had their Goods restored to them, without being bound over to prosecute the Thief, the Admiral taking on him that Care.

You are to enquire of all *Mutinies*, *Riots*, *Fightings*, *Bloodshed*, *Maiming*, *Cursing*, *Swearing*, *Blasphemimg*, in any Ship or Vessel within the flowing and reflowing of the Waters; particularly of such Mariners as have assaulted their Masters, been disobedient and rebellious against their lawful Commanders; as also of such Masters as treat their Mariners inhumanely, and do not pay them the Wages they have honestly earn'd.

Lastly, There are several *Rights* and *Emoluments* belonging to the ancient Office of *High Admiral* of *England*, that are at this Time, by Surrender of his Royal Highness, return'd to, and vested in the Crown; and it has always been the Course of this Court to give them in Charge.

You are to enquire therefore of those that have seiz'd and taken to themselves *Wrecks* at Sea, having neither Grant nor Prescription whereby they may lawfully do it. Of those that have possess'd themselves of *Flotsons*, *Jetsons*, *Lagons*, *Derelicts*, *Deodands*, *Treasure-Trouve*, the Lord High Admiral's *Tenths* in Men of War, *Royal Fishes*, such as Whales, Sturgeons, Porpoises, Shares in the Casualties, and *ejectamenta maris*, the Goods of Pirates, the Goods of Enemies in the late Wars, the Goods of

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Traitors, Felons, Out-laws, *Felones de se*, when lying within the Jurisdiction of the Admiralty; or of any other Rights or Perquisites belonging to that Office.

You are to enquire of those that have broken the Arrests, or refus'd to be assistant to the Officers of the Admiralty, in executing the Warrants and Attachments of the Court; of such as in Contempt of the Jurisdiction of the Admiralty, have sued and impleaded others in *Guild-hall*, or other Courts, touching Matters arising within the Jurisdiction, and of Right belonging to the Cognisance of his Majesty's Court of Admiralty.

Upon the whole, Gentlemen, if I have omitted any Thing material in this Charge, your own Observation and Experience will supply it; or else the Directions of the Court, either upon the Informations and Bills brought to you, or else upon any Emergency, fitting to be resolv'd by the Court. Besides that, you shall, according to the Course of the Court, have Instructions in Writing for the perfecting of your Presentments.

I must remind you also of the Oath you have now taken, and consequently that you are under the strictest kind of Obligation to God and the King, to do your Part in enquiring and making true Presentment, without Fear, Favour, Hatred, or Partiality, of such Things as have, or shall come to your Knowledge, as done against the Peace of God and the King, or against the wholsome Laws and Government of his People, being committed either upon the Sea, or in our Ports and Rivers within the Limits of this Commission.

That the Peace and Plenty of these Nations, the Honour and Safety of the Crown, does in a great measure depend upon the Freedom and flourishing of our Navigation; that our Navigation can be neither free nor flourishing, where Bloodshed and Robberies, where Mutiny and Disobedience, where Wickedness and Vice, are not punish'd and restrained with proportionable Severity, according to the Rules of Justice, and the Prescription of the Law.

That you, Gentlemen of the Jury, doing your Part in Favour of Justice and Right, it would be a great Service to the King's Majesty: *Solomon*, the wisest of Kings, having left it upon Record, that *by Justice the Throne* (it self) *is established*: Justice being (next to Religion) the best Security to the Government, and the best Service to our Country, and will render us glorious in the Eyes of our Neighbours: It is the Bond and Cement, it is the Fence and Warranty of all publick Society; so that there can be nothing more worthy of a good Member in a Common-wealth, than to contribute all he can in his Station, much more in a publick Trust, as this is, that Justice and the Laws may take Place, and have all the Effects intended them by the divine Appointment, and by the publick Wisdom.

A Speech of Sir L. Jenkins *in the House of Commons, against the Exclusion Bill.*

Mr Speaker,

I Must confess my self very unfit to open a Debate of this Consequence; but yet I cannot be wholly silent, nor forbear offering my Sentiments, however inconsiderable or disagreeable they may happen to be, in a Case where my Duty and my Allegiance call so loudly upon me. Every Gentleman that is for the passing of such a Law, must surely found his Opinion upon the absolute Necessity there is (as he apprehends) in the Case. For my Part, I must think, till better advised, that there is no such Necessity, nor any Thing in the present Scituation of our Affairs so frightful, or so cogent, as to require so hazardous and desperate a Remedy. But in order to discover, whether there be such a Necessity or not, let us fairly and calmly consider the End proposed by this Bill, and whether it be proper, or even convenient to attain to that End.

The End, I hope, is the preserving of our Religion, so as no Popish Successor may alter it, nor be in a Capacity to introduce, much less establish his own Religion among us. This is our End, and we ought to pursue it by all lawful and just Means; and so much the rather, in that no Man is a Stranger to what happened, when Queen *Mary*, a Papist, succeeded her Protestant Brother to the Crown. 1. The Religion of the Nation was wholly changed. 2. Those that were of the Perswasion and Communion that we are now of, were not only disgraced and persecuted all manner of ways, but some hundreds of them laid down their Lives, under the cruellest Torments of being burnt alive, for no other Cause but that they were Protestants, and would not change or abjure their Religion.

This Change in Queen *Mary*'s Days, we have often heard urged in Favour of this Bill, and I do confess, it comes the nearest of any Thing we can fear or think of, to the Case in hand. It shews us indeed our Danger in its most dismal Colours, but we have nothing in those Times, that is a Provision leading to this we are now making. On the con-

contrary, there are many Things in that Example, that makes it evident, that the Rights of a lawful Succeſſor are not to be taken away from him, becauſe 'tis probable, nay, apparent, that he will abuſe his Power to the Deſtruction of Religion.

By looking into the Records of thoſe Times, we may ſee King *Edward* fall ill of a Conſumption in *January*; we may find a Parliament aſſemble in *March*, and the King ſo weak, that he could not meet them at *Weſtminſter*, but calling them to *Whitehall*, for the Ceremony of opening, and declaring the Cauſes of Summoning it. Yet that Parliament, tho' it ſaw the King deſperately languiſhing, tho' it ſaw and knew the Succeſſor to be a Papiſt, a ſtrong one by Addiction, and yet a ſtronger by Intereſt, never once propoſed to diſinherit her; I ſpeak now of a Parliament that was thoroughly Proteſtant, and of a Time that the Reformed Religion of the Church of *England*, in Doctrine, in Worſhip, and Government, was eſtabliſh'd by Law.

There lay before them a Matter of Juſtice and Duty, and that was clear and undeniable, therefore they reſolved to keep cloſe to that. There lay before them a ſad Proſpect of troubleſome perſecuting Times, they left the Event of that to God, without lim ting or preſcribing to him, or ſetting up their own Power in Competition with his. They left it to him, to raiſe good Effects out of evil and unlikely Accidents, and they knew God did not need the Aſſiſtance of any, much leſs would accept of an unjuſt or evil Thing done by Man, for the promoting of Religion.

They knew it was the Glory and Advantage of the Chriſtian Religion, that it diſturbed no Man's Poſſeſſion, nor derogated from no Man's Right. That St. *Peter* and St. *Paul* taught the ſame Obedience to *Nero* and *Caligula*, as all of us acknowledge to be due by Law and Conſcience to the King that now is. They knew, beſides the Example of Primitive Chriſtianity, that it was the Doctrine of their peculiar Church, to pay Obedience to their Governours, whether good or bad, juſt or unjuſt: And they thought, that to diſinherit a Prince for no other Cauſe or Crime, but for being of a different Opinion in ſome Points of Faith, was contrary to the eſtabliſh'd Law of the Land, contrary to the Principles of that Religion which they profeſs'd, and even to the Reformation it ſelf.

'Tis true, the Zeal that that incomparable Prince had for the reformed Profeſſion, and the Ambition of the Dukes of *Northumberland* and *Suffolk*, made them ſet up that pious Princeſs the Lady *Jane Grey*; but we all know, what the Event was, notwithſtanding the Circumſtances of Queen *Mary* were ſo low and deſperate, that her Thoughts and Intentions at that Time were, rather to fly the Land, than attempt the Crown.

One Thing I take to be extreamly remarkable in that Change; it is, that the Judges of the Land, and the King's Learned Council, being conſulted about a Form to transfer the Crown from Queen *Mary*, they excuſed themſelves to the King and his Lords, from digeſting the Articles that had been prepared, ſaying, that they ſhould thereby bring themſelves and their Lordſhips in Danger of High Treaſon; but being told by the King, that it muſt needs be done, and that he would call a Parliament to confirm it, they were at laſt prevailed on, (Sir *Jo. Hales* of the *Common-Pleas* only excepted) but upon this Condition, that they ſhould be commiſſioned by a ſpecial Warrant under the broad Seal to draw up the Inſtrument, and that they ſhould have the King's Pardon when the Inſtrument was paſſed. Hence it may be obſerved, 1. How dangerous it is to have a Hand in the Diſheriſon of the Heir to the Crown, as it was thought by all the Judges of the Land. 2. How fruitleſs the Attempt was, tho' all the Powers of the Duke of *Northumberland*, and all the Pretences that could be borrow'd from the Danger that Religion was then in, did countenance and abett the Thing.

If we look into the Hiſtory of our Neighbours, we ſhall find, that upon the Death of *Hen.* III. of *France*, the Succeſſion was ſtrongly diſputed, but at laſt the major and ſounder Part came to this Opinion, that there could be no Proſpect of Peace or Settlement, without continuing of the Crown in the right Line and juſt Deſcent; that if they ſhould once deviate from that Rule, every one that had Strength and Power, might pretend Right, and there would be as many Kings as there were Men of Command or Intereſt in *France*. And that there would be more Danger to Religion by excluding the right Heir, than by admitting of him; and that it was eaſier to take Care of Religion when the Kingdom is ſettled, than when it is in Diſpute.

Pardon me therefore, if I ſay ſuch an Attempt is unſafe, and againſt the publick Wiſdom of the Nation. It is a fundamental in all publick Councils, as not to make any Change without an important Motive, ſo not to come to Extremities, where a Neceſſity does not drive us, or where there is Room left for eſſaying ſofter and gentler Remedies. Now there is not a greater Extremity to be imagined in the Caſe than this Bill, becauſe it is utterly, and at once, depriving the King's Family of the Benefit of that Law, which is the juſt and legal Claim of every the meaneſt Commoner in *England*.

If we were ſure the King would out-live the Duke, there is no Man, I believe, but would think this Bill abſolutely unneceſſary; his Majeſty (bleſſed be God) is ſafe and

and well, and we hope, that that blessed Providence which hath watch'd over him to discover and prevent the late Conspiracies against him, will still direct his Steps, and defeat all traiterous Intentions against him.

Well then, the King is yet alive and safe, and thus far our Religion is safe, and the Danger is not so unavoidable, but that we have far better Grounds of Hope that we shall avoid it, than we have Reasons to fear that we may fall into it. Had the Successor declared, or could it be evidently proved, that he would change our Religion, there would be more Reason, I confess, for this Bill; but if the meer Hopes of the *Papists*, must be the Measure of our Safety, and the Foundation of our Judgments, we shall never be at quiet; they will hope even against Hope, we did so our selves in his Majesty's Exile, when he was excluded. I speak this, because Mens Hopes, as sometimes their Fears, are improved and heightned by their Fansies.

We know, how many Plots Queen *Elizabeth* survived, we know what her Parliament did, they declared the Descent of the Crown might be limited by Parliament, but they did not do it: And at the latter End of her Reign, those that had prepared a Bill to entail the Succession of the Crown, tho' they went but in a modest humble Way, by Petition to the Lords to get it brought on, were but ill treated for their Pains, and the Thing was no more heard of.

Besides, the Consequence of this Bill is altering the Government from successive to elective. The Successor is to be disinherited, because of a supposed Demerit; and where we can punish Demerit, we may reward Merit, and consequently the Crown may be remov'd from the Royal Line to any other. But I confess my self at a Loss to know, by what Law or Authority we can do this, or by what Rules we are to try and judge of the Qualification of our Princes. I do not here consider the Duke's personal Merits, because I should speak as much for any one next in Blood, tho' without any Merit at all. I might say first as to his Religion, if it is *Popish*, yet that he is no Bigot, because his Children are all bred *Protestants*, and so are his Servants, especially those that have the largest Share in his Esteem, and that he has never been wanting in Respect and Favour to any one of that Profession. That he is not only the presumptive Heir of the Crown, Brother of his present Majesty, but the Son of a King, for whom so many of your Ancestors have laid down their Lives and Liberties, and most Men their Fortunes. That he hath fought our Battles with Bravery, that he is exactly just between Man and Man, a strict Observer of his Word, and never yet entrenched on any Man's Property.

These Things Malice it self cannot deny, but with me they are the least considerable in this Case, for it is his apparent undisputable Right of Succession, which I most contend for. The Law says, that if a Man is disseised of an Estate tail, his Child, tho' not born at the Time of his Disseisure, shall have a Writ of *formedon*, and shall recover; because his Father was disseised *contra formam donationis*. And if in private Estates Descents do regulate Possessions and Properties, why should it be otherwise in the Case of Kingdoms? Or what Casuist can give me a sufficient Reason, why the Birthright of Princes should not have the same Rules of natural Justice as those of private Men? Or how can any one think, that Wrongs and Injuries done to Princes, must not one Time or other be as severely accounted of, as those done to other Men? Could the late King have disinherited his present Majesty! No, because he was to succeed by the Law. No more therefore can his present Majesty consent to disinherit him, that is next in Blood; and I dare say, this is the first Instance of any such Attempt, against a Prince whose Proximity of Blood is undisputable.

Pardon me, if I say further, that a Government cannot alter the Species it is of; for 'tis not the People that made this a successive Monarchy, neither can they agree to take it away.

Governours *qua* Governours and Legislatures, have but a Trust or Administration, that implies two Things. 1. A *limited* and a *derivative* Power. 2*dly*, An Account. The very Writ directs Instructions, the very Salary implies our being constituted, and the Practice of Parliaments in asking Leave to consult our Principals, and which is indeed the Method of the States of the *United Provinces*, as well as of our own.

The passing of this Bill therefore is against the Interest, against the Wisdom, and against the Justice of the Nation. It is a Bill, no Man can pretend to be at Liberty to consent to, without special Instructions from his Principals. And how they can give any such, for the changing of the Government from one Form to another, I cannot comprehend?

The Maintenance, and the very being my Principals have, is from and under the successive Monarchy, and it would be the most monstrous Ingratitude in the World, for them at once to abjure their Founders; I say, the Founders of every College in both Universities, in one Respect or another, 1. By special Donation, Benefaction, or Foundation. 2. By the Countenance and Employment under our Kings, given to their

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mesne Founders, as I may call them. 3. Our Kings are our Founders absolutely, by their Charter, that first erected us, by dispensing with the Statute of *Mortmain*, without which our Founders could have done nothing at all.

However, no Prospect of Difficulty or Opposition ought to hinder an honest Man from demanding, that he may have the Liberty to consult his Principals. It is the Stile and Practice of former Parliaments; some one must then have begun this Motion, before such a Resolution passed, and I humbly move for Leave and Time to do it in this Case.

Another Speech of Sir Leoline Jenkins *upon the same Occasion.*

Mr Speaker,

As the Question before us is of the greatest Moment that ever came before the House, so it requires the greatest Caution, and the calmest Deliberation. It is no less than the Disposal of a Crown, and the Settlement of these three Nations, and in its more remote Consequences, must affect the Peace and Repose of all *Europe*.

The presumptive Heir at Law, with all the Right to the Crown, that any one in this House has to his Estate, is here as it were before you, and the Question is, whether he shall be disinherited, and made incapable of succeeding?

Natural Justice will surely stop any precipitant Resolution, by the previous Question of *Pilate*, *What Evil hath he done?* and it will be strange to every Body without Doors, to hear a Council of such Authority and Gravity as this House, about to resolve on the Punishment before they examine the Crime: Pardon me, if I think it not unlike that infamous Procedure of executing first, and then bringing the supposed Guilt to Tryal; or as the Centurion did by St. *Paul*, ordered him *first to be scourged and bound in Chains*, and *then asked him, who he was, and what he had done.* It is an easy Matter for any one to say, *that this Man shall not rule over us*; yet I am sure in Reason, in Justice, and Modesty, every one ought first to examine the Strength and Validity of the Exceptions that are made against him.

'Tis true, we are entrusted with a Power to prepare Laws, for to be animated by the Royal Assent; but all our Voting cannot make Things equal and just, that are not so in themselves. We may call Right wrong, and Wrong right, but the Things themselves are as unalterable as the Course of the Sun; and we may make false Calculations, but the Seasons of the Year will still succeed in their due and regular Order. And therefore 'tis our Business not only to vote, but to weigh the Reasons of our Vote with an impartial Conscience; and to examine our Judgments by the Rules of Justice and Equity. For tho' some Things may be agreeable to our Inclinations, or may seem convenient and political, yet unless they agree with Reason and the Measures of Justice, we ought not to think we have any Power to consent.

If we will at once suppose his Royal Highness guilty without hearing, and guilty of a very high Misdemeanour, yet we must consider, that a Misdemeanour does not forfeit a Man's Birth-right and disinherit him. We have several severe Laws already against *Papists*, and yet under the greatest Provocation from that Party, we never came to that Extremity, as to alter the Course of Inheritance in any private Estate. The second Son being a *Protestant*, was never yet preferr'd to the Eldest, tho' he was a *Papist*; and it has been hitherto, I say, thought unjust and barbarous to exclude any Man from his natural Right upon the Account of his religious Perswasion. And since that cannot incapacitate any Man for Succession in a private Estate, by a Parity of Reason, it ought not to prejudice the Succession of the Crown.

We may say, that our Proceedings in this Case are not to be governed by the Common Law of the Land, or the ordinary Rules of Descent; but it is not only the Law and the Usage, but the Reason and Equity of the Thing which I insist upon. For I say, tho' many positive and severe Laws have been made to comply with the just Designs of suppressing *Popery*, yet none of our Fore-fathers since the Reformation, ever thought of going so far, as to disinherit for Religion; they did not know how to answer it to their Neighbours or themselves, nothing taking away any Man's Inheritance with us, by our Law or Constitution, but that which forfeits his Life too.

And as this Proceeding is contrary to natural Justice, which requires us to mete the same Measure to the Royal Family, that is dealt to every one of us; so it is to the fundamental Constitution of this Government, which we have Power indeed to preserve and maintain, but not to destroy. Tho' we may in some Cases supersede the ordinary Methods and Circumstances, yet Things that are essential to the Government, it is not (with Submission) in our Power to alter. We cannot, for instance, betray our Trust by abolishing Parliaments, or by setting aside the House of Lords or Commons. It is not in our Power to put down Monarchy, as long as there is any Person that has Right

Right to the Crown; because the Succession of this Monarchy is as essential to our Government, as Monarchy it self. We may with the same Authority change the Government into a Common-wealth, as pretend to alter the Succession. And therefore, for my Part, I think, if such an Act should pass, it would be void, and of no Force nor Obligation at all.

But consider, I beseech you, wherefore is all this intended Alteration? Is it to prevent Popery? Alas! that would be to exclude Popery, by the very Means of Popery it self, and to establish that which we pretend to destroy. It is only a Popish Doctrine and Practice, to depose Princes for their Religion; nay, it is the Corruption even of Popery it self. Most of the other Corruptions of the Church of *Rome*, came in betimes, thro' the Mistakes and Errors of good Men; but the Measure of those Corruptions was full long before this came in. *Hildebrand* was the first that broached this Doctrine against the Right of Princes, and set up a Child against the Father; and the succeeding Popes, when they found the Conveniency of it, confirmed it by their Laws and Practice. It has been practised against the House of *Bourbon* in *France*, and Queen *Elizabeth* here; any Title is sufficient with them against a Heretick. Let those therefore that would appear such Zealots against Popery consider, whether this Way be not rather to introduce, than to extirpate it.

No Body of Protestants, that I know of, ever owned or practised this Doctrine. The *Scots* indeed forced Queen *Mary* out of her Kingdom, but it was not for her Religion: And the only Instance that I remember, is that of *Sigismund* King of *Poland* and *Swedeland*; but it was not for being a Papist himself, but for endeavouring by Force and Violence to bring in Popery upon the Kingdom. But the Princes of *Sweden* then were little better than Kings of *Lacedemon*, Captains rather than Kings; for by their very Constitution, the Senate seems to have reserved to themselves an Authority over them, from the Beginning of that Monarchy.

This Exclusion therefore is downright Popery, inconsistent with Protestant Principles, and tends to the overthrowing of the very Being and Constitution of our Government. Our Government is a successive, hereditary Monarchy, and if we exclude the next Heir, we may by the same Reason and Authority exclude the next to him, and the next to that, and in short all the rest; and so from Hereditary, bring it to Elective. After the Exclusion of the Royal Line, it will be in our Power, I suppose, whether we will choose any King or no; or we may introduce some other Form of Government; for there is no stopping when once we begin to change in Fundamentals, and one Alteration must necessarily draw many more along with it.

But suppose this were originally in our Power, and that we might, upon Necessity, or for our common Security, enact such an Exclusion, yet let us consider whether we have not now put it out of our Power, by the *Oath of Allegiance*, whereby we swear, *to bear Faith and true Allegiance to the King, his Heirs, and Successors.* Who can we mean by the King's Heirs? Are they such as we shall Vote to be so? Or else such as are so by an antecedent Right? That the Oath obliges before any such Act of Exclusion is made, no Man, I suppose, will doubt; and if so, by a parity of Reason, it obliges us, who have taken it, not to pass such an Act, to the Prejudice of those, whose Right we have thereby sworn to maintain. For my Part, as I have taken this *Oath of Allegiance* to the King, his Heirs, and Successors, I think my self thereby bound to his Royal Highness, as presumptive Heir, unless it had pleased God that his Majesty had had Children, and that no Power on Earth can dispense with my Oath, and therefore can never consent to this Bill.

Nay, if we consider the Imprudence of such a Bill, we shall find the Mischiefs we would prevent by this Exclusion, are much more uncertain than those that will attend it. We would by this Means prevent Popery, there may be no need of this Caution; for the Duke may not survive his Majesty; there is no such Disparity either in their Age or Constitution, that should make us so very sollicitous. And tho' he should survive, yet Popery will not unavoidably come in along with him; for there may be such Expedients found out, as may sufficiently secure our Religion; and there are such Laws already, that cannot be abrogated but by Parliament, which will be some Security to us. And then it is not impossible, tho' the Duke be now a *Roman-Catholick*, but he may change his Opinion; and therefore it would be but fair to use some Endeavours towards his better Information, before he is condemned and given over as irrecoverable. We ought not to be more violent than the Papists were against *Hen.* IV. If we precipitate and make such Hast to exclude him, it will look rather like an Aversion of his Person, than of his Opinion; or as if we were afraid of his returning to the Protestant Religion.

But the Evils that will follow his Exclusion, are many of them certain and unavoidable. His Exclusion from the Crown supposes his Banishment: Since the Government cannot be safe, while so great a Person, so highly injur'd, lives within it. His Banish-

Baniſhment will force him to make ſuch Engagements with Foreign Princes, as will be to the certain Diſadvantage of theſe Kingdoms; and he will be neceſſitated to join with every Enemy of the Nation. The Cauſe of his Excluſion will be invidious, and diſpoſe all Princes of the *Roman-Catholick* Perſuaſion to ſupport his Intereſt. Why then ſhould we enter into a certain preſent Miſchief, to prevent one which is only remote, and may happen never to be our Portion? So that it is plain to me, there can be no ſuch Thing as Demonſtration of the Neceſſity and Expediency of this Bill, as is pretended; becauſe if it were obtained, it will be liable to theſe Miſchiefs that I have mentioned, and many others; and moſt probably not ſecure us at laſt.

Let us therefore ſpend our Time in framing and providing ſuch Laws, which may ſecure our Religion in all Events. Some few Proviſions added to what we have already, and the Number of People which are in this Nation Proteſtants, will, in my Opinion, be an impregnable Fence againſt Popery.

That it was no ſuch ſtrange Thing to have a Prince of one Religion, and the People of another. The late Duke of *Hanover* was a Papiſt, yet lived in Peace with his People that were *Lutherans*. The preſent King of *France*, notwithſtanding his Greatneſs and abſolute Dominion, permits a great Proportion of his People that are *Hugonots*, to live in Peace under him. And ſince there is the ſame Probability that we may do ſo too, and that we may have what other Laws we will, to ſecure the free Profeſſion of our Religion, tho' the Duke ſhould come to the Throne, why ſhould we engage our ſelves further for the paſſing of this Act, which the Lords have already poſitively declared againſt, and which the King has ſo often told us, he cannot conſent to.

Upon the whole, we can never enough reflect on that wiſe and juſt Caution lately given to us by his Majeſty; not to let our ſelves be ſo far tranſported with the Fears of Popery, as to neglect the Opportunities of making ſober and laſting Proviſions againſt it; nor to lay ſo much Weight on any one Expedient, as to determine all others to be ineffectual. Which is the only Hopes of Papiſts, thus to ſee our Zeal out-run our Diſcretion, and that we our ſelves ſhould become the unhappy Occaſion of making our own Councils abortive.

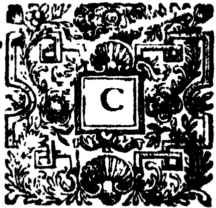




A Compleat Series OF LETTERS, FROM Sir *Leoline Jenkins*, AND Sir *Joseph Williamson*,

Ambassadours and Plenipotentiaries at the Treaty of *Cologn*, in the Years 1673, 4.

Their Excellencies Plenipouvoir to treat at Cologn.



CAROLUS Secundus, Dei Gratia, &c. Omnibus ad quos præsentes literæ pervenerint aut quoquo modo spectaverint, salutem; uti animo, magis quam facile cogitari possit, accersito ac renitenti Nos ante annum eo adductos sentimus, ut cum bono fratre nostro Rege Christianissimo, icto simul fœdere adversus ordines Generales Unitarum Belgii Provinciarum, junctis viribus bellum susceperimus, ita ab ipsis belli initiis, solitum pacis studium desideriumq; nihilominus retinuimus, quod & mundo abunde liquere potest ex argumentis conatibusq; Præliminaribus quos temporibus methodisq; variis ad lites illiusmodi fatis adversis abortas, rite aliquando componendas una cum supradicto bono fratre nostro, ultro adhibuimus. Cumq; Deo optimo maximo, summo soliq; pacis arbitro, visum jam sit, mediatione officiisq; boni fratris nostri Serenissimi Sueciæ Regis (cujus piam ac vere christianam operam in re tam salutari agnoscat nobiscum orbis universus Christianus) tempestive interpositis, partis utriusq; animos affectusq; ita disponere, ut conclusum demum conventumq; sit de pacis tractatu inter Nos & dictum bonum fratrem nostrum Regem Christianissimum Confœderatosq; simul nostros ex Unâ, dictosq; Ordines Generales eorumq; pariter Confœderatos ex Altera parte, Coloniæ Agrippinæ aut Aquis-grani ineundo & habendo, Nos qui nomen Christi religiose colimus, interq; primos Christiani orbis principes, pacem concordiamq; inter vicinos nostros cura semper singulari promovimus, in congressum hunc, quem faustum felicemq; animitùs precamur, lubentissimè consensimus. Cumq; ad tam pium opus plene perficiendum necessarium

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porro videatur, ut viros quosdam prudentia probatos tantoq; negotio pares eligeremus; Sciatis quod nos fide, industria, judicio, prudentiaque perdilecti ac perquam fidelis consanguinei nostri Roberti Sunderlandiæ Comitis, Baronis Spencer de Wormeleighton, tum dilectorum nobisq; fidelium Leolini Jenkins Equitis Aurati, L. L. Dris. in suprema Admiralitatis Angliæ & Hiberniæ Curia nostra locum tenentis generalis & præsidis, Curiæ Prærogativæ Cantuariensis magistri, in consessu ordinum Regni nostri (vulgo Parliamenti) Angliæ senatoris, & Josephi Williamson Equitis Aurati Nobis in concilio nostro sanctiori a secretis, & in consessu ordinum Regni nostri Angliæ pariter Senatoris, plurimum confisi, expertiq; qua pollent in rebus transigendis scientia usuq; singulari, ex negotiis, muneribusq; variis quæ domi forisq; dudum dignè sustinuere, Ipsos Robertum Comitem Sunderlandiæ, Leolinum Jenkins, & Josephum Williamson nominavimus, fecimus, constituimus, ac deputavimus, & per præsentes manu nostra Regia signatas, nominamus, facimus, constituimus, ac deputamus nostros veros, certos & indubitatos Legatos Ambassiatores, Commissarios, Deputatos, Procuratores, ac Plenipotentiarios. Dantes eisdem & concedentes eorum duobus quibusvis, ægrotante vel utcunque aliàs absente tertio eorum, omnem & omnimodam potestatem facultatem authoritatemq; nec non mandatum generale pariter ac speciale (ita ut generale speciali non deroget neque e contra) Coloniam Aquisgranum, aut alium quemcunq; locum, quo dictum pacis tractatum ac negotium institui ac celebrari contigerit, hinc adeundi, ibiq; pro nobis ac vice ac nomine nostro una cum Commissariis ac Plenipotentiariis dicti boni fratris nostri Regis Christianissimi ex Unâ, cum iis ex altera parte congrediendi, ac sermones habendi quos dicti Ordines Generales, aut eorum Confœderati ad id simul deputaverint, cumq; iis pariter, quos alii quicunq; Reges, Principes, Reipublicæ, aut Liberæ Civitates sufficienti authoritate, eo instructos miserint ad lites controversiasq; præsentes inter Nos dictumq; bonum fratrem Regem Christianissimum, & Confœderatos nostros ex unâ, ac dictos Ordines Generales Unitarum Belgii Provinciarum eorumque Confœderatos & amicos ex alterâ, terminandas finaliterq; componendas, cumq; iis de pace firma ac stabili tractandi concordandi conveniendi & concludendi, idque omne quod ab iis ita conclusum conventumq; fuerit pro Nobis & Nostro nomine signandi, superq; conclusis instrumenta quot & qualia necessaria fuerint conficiendi mutuoq; tradendi recipiendiq; Dantes ulterius & concedentes Legatis nostris supradictis potestatem authoritatemq; literas salvi conductûs aliasq, quascunque ad securitatem personarum, comitatûs, servorum impedimentorumq; eorum omnium qui in dicto tractatu transigendo conficiendoq; operam collocandam habeant, vel quomodolibet inserviant, requiri de tempore in tempus videantur, signandi, concedendi & exhibendi, ac generatim ea omnia tractandi conveniendi promittendi stipulandi & faciendi, quæ in & super præmissis, aut eorum quolibet quoquo modo necessaria, vel quomodo libet optima judicaverint, in tam amplis modo & forma, ac vi effectuq; pari, ac Nos ipsi facere possemus, si dicto tractatu personaliter interessemus; spondentes & in verbo Regis promittentes Nos omnia & singula quæcunq; à dictis nostris Legatis & Plenipotentiariis, sive eorum duobus quibusvis, ægrotante vel utcunq; aliàs absente (ut præfertur) tertio, vi præsentium transigi & concludi contigerit, grata, rata, & accepta, iis prorsus modo & forma quibus convenerit habituros. In quorum omnium majus robur & fidem, præsentes manu nostra Regiâ signatas magno Angliæ sigillo communiri fecimus. Dabantur in Palatio nostro Westmonasteriensi, quinto die Maii, Anno Domini 1673, Regniq; nostro 25.

Carolus R.

Instructions

Instructions for Our Right Trusty and Right Well-beloved Cousin Robert *Earl of* Sunderland, *and Our Trusty and Well-beloved Sir* Leoline Jenkins *and Sir* Joseph Williamson *Knights, going our Extraordinary Ambassadours and Plenipotentiaries for the Treaty of Peace at* Cologne, *betwixt Us and the Most Christian King and Our Common Allies on the One Part; And the States General of the United Provinces of the* Low Countries *and their Allies on the other. Given at Our Court at* Whitehall *the Seventh Day of* May, *in the 25th Year of our Reign*, 1673.

Charles R.

ART. I.

YOU shall make what convenient Speed you can to the Place of Treaty, and being there arrived, you shall before your Entry adjust the manner of it, with relation to Our Honour and Dignity, and to the Satisfaction of the other Princes Our Allies in that Treaty, taking Care that we lose nothing of Our Right and Dignity, and yet without affecting unnecessary Disputes in those Points; especially with the Ambassadours of Our good Brother the Most Christian King, or any others, that may discompose the great Work you go about. For the Prevention of which, you are to know, that it is fundamentally agreed between the said Most Christian King and Us, That the first Place shall be on all Occasions given to the Mediators; that is to say, the first Visits upon your Arrival, even though they should happen to be first upon the Place, as also the Upper Hand in the Place of Conference, and even in all ordinary Conversations during the Time of the Treaty; And this to be pursued through the whole Negociation, according to what shall be agreed on between you and the Plenipotentiaries of Our said good Brother, unless it should happen, by any new Emergencies, you and the said Plenipotentiaries should find Cause to make any Alteration in this Particular, upon the *Swedes* quitting the Part and Figure of Mediators, which we cannot imagine will fall out.

§. 1. As to the Plenipotentiaries of the Most Christian King, if they happen to be upon the Place first, upon Notice given of your Arrival, We understand that they will render you the first Visit; which Rule you must likewise observe to them, and to all the other Ambassadours, in case you happen to be upon the Place first, except the Mediators, who are, even as to this Circumstance, agreed between Us and the Most Christian King, to be out of the Rule.

§. 2. When you are upon the Place, your first Business will be to Regulate the Place and Manner of the Conferences, in which you must, on the one side, avoid, as much as may be, all Differences and Disputes about the Form and Manner of sitting; and, on the other Hand, you must take Care in no wise to yield the Precedence in any Circumstance to the Ambassadours of what King soever; but still shewing your selves easie to any fit Expedients that may be offered, without Diminution to Us, for preventing Difficulties between you and the Ambassadours of Our good Brother and Ally the Most Christian King; yet so as to take Care that upon any Composition of this Kind, it be made publickly to appear, that the Matter was by mutual Agreement so compromised.

§. 3. If any Thing in the Matter of Ceremony or Precedency shall fall out, beyond what is here provided for, which cannot be finally accommodated by you, and the Ambassadours of the Most Christian King, you must require Time to advertize Us of it, that We may give you Our Express Pleasure and Determination therein.

ART. II.

The Ceremonial of your Embassy being thus Adjusted, as to the Substance thereof, you must above all Things take Care to live and to transact together with a mutual and entire Confidence in all Things and Matters relating to the effectual making the Peace with the Plenipotentiaries of the Most Christian King, declaring to them, at your first Meeting apart from the rest, Our Express Commands to you herein; and accordingly communicating together the Extent of our Demands, and mutually supporting one another therein, so as to attain the Effects thereof, by aiding and assisting one another therein, and by obviating and avoiding all Artifices that may, and probably will, be set on Foot to disunite you.

The principal Points We shall insist upon, beyond the particular ones, relating to general Amity, Commerce, *&c.* are these following:

First, To have the Honour for the future paid to the Flagg of *England*, which hath been practised and acknowledged by them in all former Times.

Secondly, A Million of Pounds Sterling, to reimburse us in some Part the Expences We have been at in making the War, Two Hundred Thousand Pounds in *October* next, and the rest by Fifty Thousand Pounds yearly, till the whole be paid.

Thirdly, Ten Thousand Pounds *per Annum* as an Honorary Acknowledgment for the great Benefit that Republick reaps for the Fishing on our Coasts, and Two Thousand Pounds more for the like Liberty they enjoy upon the Coast of our Kingdom of *Scotland*.

Fourthly, To suffer our Subjects to depart without delay out of the Colony of *Surinam*, where they have unjustly detain'd them hitherto, contrary to the Peace at *Breda*.

Fifthly, A Regulation of the Trade in *India*, &c. wherein great Violence and vexatious Grievances are exercised upon our Subjects, by those of the United *Netherlands*.

Sixthly, The calling in and suppressing all Libels, Prints, Cuts, Medals, *&c.* vended and dispersed in *Holland*, &c. reflecting on the Honour of Our Person, and that the Authors be exemplarily punished.

Seventhly, The Establishment of Our Nephew the Prince of *Orange*, as Hereditary Stadtholder, General, and Admiral of their State, to descend upon the Heirs Male of his Body.

And Lastly, For the securing the Performance of all these preceeding Articles, that they deliver into Our Hands, as Cautionary, the Town of *Flushing*, and the Fort of *Ramekins*, formerly so held by the *English*, or *Helvoet Sluis* and *Goree*, or, finally, the *Brill* and *Goree*.

§. 2. Upon which, if you find the Peace cannot otherwise be made, We are content you should, as to the Article of the Reimbursement, make an Abatement of Four Hundred Thousand Pounds upon the Million first demanded; so as finally to be content with the Sum of Six Hundred Thousand Pounds, Two Hundred Thousand Pounds to be paid in *October* next, and the rest at Fifty Thousand Pounds *per Annum*, for the next succeeding Eight Years.

ART.

ART. III.

Having thus provided for Our self, and the Most Christian King, the next Thing is to take Care of Our Allies, such as have taken Part with Us in this War, by Treaty or otherwise; wherein because We have accommodated Our self to the Sentiments of the Most Christian King, and that those Points do more nearly touch him, you shall guide and direct your selves by the Mind of his Plenipotentiaries, (unless it be in Points relating to the Profession of the Protestant Religion) in the Interest of the Elector of *Brandenburgh*, with relation to whom, in other Matters, you must refer your selves to the Dictates of the Plenipotentiaries of *France*, We having declar'd to the *French* Ambassadour here, That we will gratifie his Master in making him the Mediator for reestablishing Our Friendship with that Elector.

§. 2. In return whereof, you must require all Facility in them, in Points relating to the Advantage of Our dear Nephew the Prince of *Orange*, pursuant to the Seventh Article in the late Treaty of Confederation between Us and the most Christian King; by which it was particularly stipulated, That We, and Our good Brother, would do our utmost that Our said Nephew should find his Advantage in the Continuation or End of this present War; and that further Care should be taken of that Matter by particular Articles, to be for that Purpose agreed between Us and our said good Brother.

ART. IV.

Now because it is according to Our Obligations of Honour and Interest, to procure all possible Advantages to the King of *Sweden*, for the Treaties that have passed betwixt Us, the Most Christian King, and that Crown; and that it may be the better gratified for the Part they have already, or hereafter shall take, in mediating the Peace, you must, together with the Plenipotentiaries of *France*, possess your selves of their Demands upon the States General, and effectually co-operate with them in procuring that Crown full Satisfaction in them.

ART. V.

The great Impediment we foresee likely to happen in the making of this Peace, after the Satisfaction of Our own and the Most Christian King's Demands upon the States General, are the Disadvantages the Crown of *Spain* will receive by it. You must therefore apply your selves not only to the assuring and convincing the *Spanish* Ministers, of our Disposition and Readiness to do all Things depending on Us, for the Advantage and Benefit of that Crown, but of using Our utmost Credit with the Most Christian King, in composing any Differences now depending betwixt them, so as to obviate all future Breaches, or discomposing the Peace and Amity between them.

1. Letting them know, how, beyond Our Obligations in the Treaty of *Aix la Chapelle*, We did in Our subsequent Offensive Treaty against the States General, take Care to provide for the Maintenance of the said good Correspondence and Amity.

2. And consequently entring easily into all Propositions of Accommodation, that may arise in the Exchange of Places betwixt the Two Crowns, in case the *Hollanders* shall find themselves obliged, for the Good

Good of the Peace, to yield such to the Crown of *France*, as are notoriously prejudicial to the Crown of *Spain*; yet governing your selves so skilfully in this matter, as not to give any just Cause of Jealousie or Umbrage to the Ministers of the Crown of *France*.

3. THE like you shall express to the Ministers of his *Imperial* Majesty, assuring them of the Esteem and Value We have of the Friendship of their Master, and the Directions you have to do all good Offices, relating to the Advantages of his *Imperial* Majesty.

ART. VI.

THE like you shall profess to the Ministers of the King of *Denmark*, if any shall happen to be upon the Place, excusing particularly the Offence that Crown seems to have taken, at Our Unwillingness to admit them into a Part of the Mediation; declaring to them, nothing of that Nature hath been, or could be done, but by a perfect Concert between the Two Kings, and that an Express Overture was never made of it by that King's Envoy here, to whom there was never any other Difficulty opposed therein, than that of retarding the Negotiation of the Peace, which We have ever declared Our self desirous to promote and hasten, and which We thought would have been retarded by a Plurality of Mediators, who might possibly have fallen out themselves, while they were endeavouring a Publick Agreement. But in whatever shall relate to any other Advantage of that Crown, it must be agitated and digested between them and the Plenipotentiaries of *France*, and accordingly promoted by you, by common Consent and Concurrence.

ART. VII.

YOU shall possess your selves of the Memorial of the *Portugal* Ambassadour presented here to Us, the Substance whereof, he saith, hath been offered and entertained by the Most Christian King, according to what you shall concert and agree with his Plenipotentiaries, at what time and in what manner, so to propose the Advantages of that Crown, as to manifest Our great Desire to procure them all that is possible, in the Conclusion of the Treaty of Peace with the States General.

ART. VIII.

YOU shall assure the Ministers of the Elector of *Cologn*, the Duke of *Hanover*, and the Bishop of *Munster*, of Our Readiness and Disposition, to do all things depending on Us for their Satisfaction, according to the Approbation and Warranty We gave of their Treaties with the Most Christian King, and Our Desires to let them see, in all other Occasions, the Value We put upon their Friendship, and good Correspondence for the future.

AND in the same Manner, though in different Language, accommodated to the Occasions, you shall express Our Readiness to promote the Advantages of all other Princes, and Free Cities of the Empire, who have in any Degree seemed to favour our Side in the Prosecution of this War. Guiding your selves therein by the Sentiments of the Plenipotentiaries of *France*, and professing to them your Directions to do it, for the more immediate Relation those Matters seem to have to their Affairs.

ART.

ART. IX.

In your Passage through *Flanders*, We suppose you will meet with the Passports of the Count *de Montercy*, if they do not come to you before you depart from hence; and if he shall happen to be in any Town through which you are to pass, you shall notifie to him, by a Gentleman, your Arrival there, with those Compliments that are fit, and demand of him such further Convoys there, or in any other Parts within his Government, as shall be requisite for the Security of your Persons and Equipage.

§. 2. And if he shall desire personally to see you, you shall express a Readiness to comply with his Desires therein, but effectually avoid and excuse the Meeting with him, upon the Difficulties of Adjusting the Ceremonial Part of it, as not consisting with your Characters to give him the Hand, towards which examining your Instructions you do not find yourselves sufficiently directed.

ART. X.

If it should so fall out that you should go through any Part of the Duke of *Newburgh*'s Country, and that he should desire to see you, you must not admit of it without first stipulating the manner of your Reception, according to your Character; and in the Conference you shall have with him, assure him of the perfect Esteem and Value We have of his Friendship, ever since the Personal Acquaintance We had with him, and of the express Directions you have received from Us, of Promoting his Advantages with Relation to this Peace, in the most effectual Manner he can desire of you.

ART. XI.

After you have adjusted the Points relating to Our Interests with the Ministers of the States General, according to the Second Article of these Our Instructions, you shall apply yourselves to treat with them apart upon the Body of Articles relating to the Commerce, pursuant to those delivered to you, at our Committee of Foreign Affairs.

§. 1. And yet avoiding therein the giving the *French* Plenipotentiaries the least Umbrage, as if you were doing any thing therein to their Prejudice, or contrary to the perfect Concert that is between Us and their Master.

§. 2. And ever making Use of them for the Composing any Adjustment, that shall prove hard betwixt you and the Ministers of that State, that so they may see you do not decline their Assistance even in these Matters.

ART. XII.

You are to take Care to advertise Us, frequently and at large, of the Progress of the Negociation as to every Part of Our Concern in it.

§. 1. And particularly upon any new Emergencies not provided for in these Instructions, or upon any Change or Alteration that may happen in the State of things, from what We here suppose, in the Frame of these Instructions to you, to the End, you may receive Our further Pleasure upon them, making Use, where the Matter is of Concernment, of Expres-

ses, adding Duplicates of your Dispatches by other Conveyances, in Case of Accidents.

§. 2. We could wish, that at the same Time the Peace shall be made upon the Heads expressed in the Second Article of these Instructions, there were likewise a Treaty of Commerce admitted of, according to the Project you carry with you.

§. 3. But because that may be look'd upon as a Thing that will take up much Time, and so retard the Peace, We leave it to your Choice upon the Place, whether you will insist upon it there, or in an Article condition the sending Commissioners hither to *London*, to treat and conclude the said Treaty of Commerce within a limitted Time, and make Use of that Argument to strengthen your Demand of Cautionary Towns.

But if, on the other side, you find it easy to obtain under that Head a Regulation of the Trade in the *East-Indies*, the securing those Three principal Points always wished for by the *East-India* Company, viz.

§. 5. That the *Dutch* shall make no Treaties in the *Indies* to exclude our Subjects from Trade there.

§. 6. That no Forts they shall build in any Parts, shall exclude them from the Trading with the People of those Countries.

§. 7. That no Declaration of War on their Side, shall exclude Our Subjects from a Trade with those Countries, otherwise than to besieged Towns.

§. 8. If, we say, any such one Article can be easily obtained, including these foregoing Points, and comprehended in the first Treaty of Peace, you shall use your utmost Endeavours to obtain it; if otherwise, We are content it be also reserved to a Treaty of Commerce.

§. 9. You have especially desired, that your Congress for the Treaty should be at *Cologn*; accordingly We have, together with the Most Christian King, written Letters to the Magistrates, that in case they will render their City Neutral, by removing the Marquis *de Grana*'s Regiment, or making it take an Oath of Fidelity to them, the Magistrates, then We will send Our Plenipotentiaries thither.

§. 10. Otherwise, We have jointly resolved with the aforesaid King, that the Congress shall be at *Aix la Chapelle*; now because this Matter hath not yet a final Conclusion in it, you must direct your Journey so as to go to either of the aforesaid Places, as you shall upon your Way learn the State of that Matter.

C. R.

By His Majesty's Command,

Arlington.

To

To the Earl of *Arlington.*

Queenborough, May 17. 1673.

My Lord,

YOUR Lordſhip will perceive by ours of yeſterday, that we had reſolved to leave our Bylanders and Equipage behind us, and to attempt, as we did with laſt Night's Ebb, the making toward any Port (that Wind and Weather would permit) beyond the Seas; our Captain, giving ſome Hopes of being able to reach *Calais.* We weigh'd Anchor laſt Night at Eight, but coming as high as the *North-forland* about Nine this Morning, they found it impoſſible to make *Calais*, as the Wind then was, and we are come hither back again, to our great Affliction.

In the Straights we are in, My Lord, we have reſolved that the Yachts ſhall, with the Ebb to morrow morning, attempt the making of *Dover*, in order thence to ſtretch to *Calais* with the firſt Wind, which 'tis conjectured may offer it ſelf ſooner thence, than from this Place. We leave the Bylanders behind us, moſt humbly begging your Lordſhip's Interceſſion with his Royal Highneſs, to give the Bylanders that Convoy which he was pleaſed to deſign for us. We are, &c.

Leoline Jenkins,
Joſeph Williamſon.

To His Royal Highneſs Prince *Rupert.*

Shereneſs Road, Friday May 16. 1673.

May it pleaſe your Highness,

A Strong contrary Wind having, on *Saturday* laſt, forced us back from the *North-forland* to this Place, and kept us here theſe Eight Days without Poſſibility of getting out, together with thoſe Bylanders that we had hired to go along with us, and to carry over our Equipage to *Antwerp* or *Bruſſels*; we have taken a Reſolution (not unſuitably we hope to our Duty in this Juncture) to put out to Sea this Night, with his Majeſty's Yachts, in order to make any Port whatſoever Wind and Weather will permit beyond the Seas, rather than to lie longer here upon the ſame Uncertainties. We do therefore moſt humbly beg your Highneſs's Permiſſion, to leave the Bylanders behind us, with our Coaches and Goods, and ſome Servants in them, under your Highneſs's Protection; beſeeching your Highneſs, that if there be any ſmall Frigate not engaged in the Fleet, it may have Orders to ſtand out and convoy our Bylanders towards their deſigned Port of *Oſtend*; that tho' we do not intend to ſtay for our Equipage, but make all the Haſte poſſible to the Place of Treaty; yet we are concerned it ſhould follow us, as your Highneſs's Leiſure to provide for its ſafe Paſſage will permit. We moſt humbly beg your Highneſs's Pardon, and remain, &c.

To His Royal Highness Prince *Rupert*.

Dover Road, May 19. 1673.

May it please your HIGHNESS,

BEING now in this Road, ready to weigh Anchor for *Calais*, we discover a great Fleet, spreading it self like a Wood, and bearing *E.* by *N.* from *Dover*. In the Judgment of Captain *Elliott*, who is now on board us, and others here, they must need be the *Dutch* Fleet; the Sun being now set, we make no further Discovery, they being about 3 Leagues off. However, thus much we thought it our Duty to advertize your Highness. We are, *&c.*

To His Grace the Duke of *Monmouth*.

Antwerp, June 4. *N. S.*

May it please your GRACE,

HAVING had the ill Luck to be detained at *Sherenes*, from the 18*th* to the 28*th* past (*New Stile*), and being forced at last to change our Course (which we intended straight to *Ostend*) for *Dover*, in order thence to reach *Calais*, which we did on *Tuesday*, we have not been able to reach this Place sooner than late last Night. And being come, (MY LORD) we think it our Duty to dispatch this Express to your Grace, in order to receive the Honour of your Grace's Commands. We take the Liberty upon this Occasion, to send to Sir *William Lockhart*, desiring him to inform himself of his Most Christian Majesty's Resolutions touching the Place, where the Treaty is to be held, that we may be at a Certainty how to steer our Course hence, whether to *Cologn* or *Aix la Chapelle*; and we beseech your Grace to believe, that wheresoever we happen to be, we shall do out utmost Endeavours, upon all Occasions, to approve our selves, *&c.*

To Sir *William Lockhart*.

Antwerp, June 4. *N. S.*

SIR,

IT was our ill Luck to be detained by contrary Winds for Ten Days in the River of *Thames*, and to be forced to change that Course, which we intended straight to *Ostend*, for *Dover*, in order to reach *Calais*, where we arrived on *Tuesday* last; and passing thence on *Wednesday* to *Dunkirk*, *Thursday* to *Bruges*, and *Friday* to *Ghent*, we have not been able to reach this Place till late last Night. The Bearer has in Charge to find you out, wheresoever you are, in order (after the Assurance given you of our most humble Service) to beg Leave of you, SIR, that we may depend upon you for our Information of the Place that his Most Christian Majesty hath resolved the Treaty shall be held in, and of the Directions that his Plenipotentiaries may already have had, whether and when to move from *Breuill*, where they are said to be, (within 3 Hours of *Cologn*) ever since the 24*th* past. For we are not to move from this Place, but as you shall by your Advice determine us, how

how and which Way to steer our Course, whether for *Cologne* or *Aix la Chapelle*: And we have desired this Gentleman not to stir thence, till you have the Certainty of the most Christian King's Directions to his Ambassadours. Beside, Sir, we will hope, that since it is not our Happiness to communicate together by Word of Mouth, you will do us the Favour to let us understand by this Gentleman, how we may, from the Places we shall pass through or be confined to, best establish and manage a Correspondence suitable to your Motions with the Army, and to do any thing else, that may be for the Service of our Master. We are, *&c.*

To the Earl of *Arlington.*

Antwerp $\frac{24\ May}{3\ June}$ *1673.*

My Lord,

We have little to add to our Address to your Lordship from *Calais*, besides an Account of our several Visits from thence to this Place. On *Wednesday* the 21st, we came to *Graveline*, where the Governour, M. *de Haucourt*, did complement us in the Market Place, and thence we passed on to *Dunkirk*; the Commandant there in M. *de la Strade*'s Absence, coming to our Lodging, as soon as we arrived, and giving us his Assistance for our Voitures the next Morning.

Upon *Thursday* we came to *Newport*, where the Governour, M. *de Medrano*, received us at the landing Place, we traversed the Town (without making any Stay) in his Coach, and were received in the Canal for *Burges* by two Burgomasters, in the Name of *Messieurs du Franc, de Bruge's*, (having been there at two several Times before, in Expectation of us) who received us on Board their Pleasure Boat, as the Count *de Mont Rey* had given them in Charge.

We arrived at *Bruges* in the Evening, the Commandant Viscount *de Sebourg*, met us at the landing Place, the Horse and Foot being *en Haye*, thence to our Lodging; next Morning he conducted us to the Waterside; and the Count *de* —— conducted us with his Troop of Horse along the Canal Side, half Way to *Ghent*, *Messieurs du Franc* accompanying us all the Way, and giving us a handsome Dinner, as they had done the Day before.

On *Friday* Night, we came to *Ghent*, where *Don Francisco del Pardo* shewed us all Civilities, we went out next Morning, *au Bruit du Cannon*; Monsieur *de Baron de St. Jean* drawing out his Regiment of Horse, and marching to Convoy us to *Antwerp*, if we had suffer'd it.

Arriving here late on *Saturday*, his Excellency the Count *de Mont Rey*, sent immediately his Excuses that we met not here with any publique Reception, which he had ordered for us, as also a House to lodge in at *Brussels*, upon Supposal and Information that we were to pass straight from *Ghent* thither; he was pleas'd next Morning to send to our Landlord here, that it was his Meaning to defray all our Charges, (as was intended to have been done at *Brussels*) but our declining that Civility was allowed of.

On *Sunday* the Dukes *de Montalto*, and *Villa Hermosa*, *les Comtes Philip de Horne, & de Uysell*, and the Lieutenant General *Agorta*, gave us the Honour of a Visit; Yesterday the Marquiss *de Osserra*,

Commandant of the Castle, did the like; all of them by Orders express (as they were pleas'd to declare) from the Governour.

LAST Night late *Don Bernardo de Salinas* gave us a Visit, being newly arrived from *Brussels*; after the usual Civilities he took us aside, and Offering us all Service, he was pleased, out of a special Confidence, (and, as he said, as an *Englishman*) to take notice that we discovered not any Thoughts of giving the Governour a Visit, therefore he had thought fit to offer his Help for removing Difficulties, and was ready (but as of his own Head as he said) to propose Expedients for an interview, insomuch that we found ourselves obliged to let him understand, that we found not ourselves at Liberty to entertain Expedients in Difficulties of this Kind. Only that we having Orders most express from the King our Master, to labour the Service and Satisfaction of his Catholique Majesty in this Congress, we would receive most readily his Excellency's Commands in Order thereto, by any Hand that he should please to make Choice of.

THIS Morning M. *de Salinas* renewed his Effort upon me, Sir *Joseph Williamson*, and discovered that the Governour intended to give us the Rencounter at the Castle this Afternoon, when we return our Visit to the Commandant there; but I endeavoured to satisfie him, that notwithstanding the Honour and Satisfaction it would be to each of us, in his own particular Mind, to wait on his Excellency, yet that we durst not adventure upon any Composition in a Matter so delicate as this is, and so we are over all Difficulties in this Affair.

WE thought it our Duty, MY LORD, as soon as we came hither, to dispatch an Express to his Grace the Duke of *Monmouth*, in Order to receive his Grace's Commands, and under one to learn from Sir *William Lockhart*, what Course the Plenipotentiaries of *France* are directed to steer; it being uncertain here whether the Treaty holds at *Aix* or *Cologn*: Only a Gentleman that we had dispatched from *England* to *Aix* about Six Weeks ago, advises us, that the *Swedish* Mediators, and the States Plenipotentiaries, were there on *Saturday* last, but begin to be convinced that the Treaty will be at *Cologn*; and the Paper enclosed, which my Lord *Castlehaven* brings this Day from *Brussels*, is a further Argument that 'tis intended there.

MY LORD, just as we are closing this, we have the Honour to receive your Lordship's Letter of the 23d Current. We have been forced to make a Halt here of three Days, not so much in Expectation of our Bylanders, which are now come within these Lands, as in Order to Voitures for four or five Days march towards *Cologn*. We resolve (God willing) to be gone from hence on *Thursday*, since we cannot possibly to Morrow. We are, *&c.*

To the Earl of *Arlington*.

Cologn, $\frac{6}{16}$th *June*, 1673.

MY LORD,

THE last that we had the Honour to address to your Lordship, was from *Antwerp*, the 27th past. We set out thence the 30th, and after five Days march, (*Friday* to *Turnholt*, *Saturday* to *Eersell*, *Sunday* to *Ruremond*, *Monday* to *Castres*) we arrived in this City on *Tuesday* the 3d Current, about three in the Afternoon.

MESSIEURS

MESSIEURS *de la Ville* did us their Complement on *Wednesday*, with their most humble Thanks to his Majesty, for his gracious Regards to the good of their City, in Ordering the Treaty to be at this Place, where the Veneration they have for his Royal Person is still fresh, and where they profess to retain always a Passion for his Service.

THEY gave us an Account (being asked) of their State of Health in this Town, assuring us, that tho' there be a Report endeavouring (to their Prejudice) to spread it self, that several have within these few Days died of the Plague, yet that there is no Truth in it; neither the Regent (who was present) nor any other among their Magistrates, having had any such Advertisement, either from their Physicians, or from any other of their Officers intrusted in that Behalf.

ON the same Day, being the next after our Arrival, the Plenipotentiaries of *France* gave us the Honour of the first Visit; M. *le Duc de Chaulnes*, after the usual Congratulations, told us, that the Mediators had been with them (as soon as they understood of our being come to Town) the Night before, and had pressed them very much, to enter forthwith upon the usual Preliminaries; First desiring, and offering, to receive and adjust the Powers from *France* and *England*; Secondly, proposing the Place and Manner of our publick Meetings, and Conferences.

THE Manner of Communicating the Powers is intended to be by Presenting the Mediators with our Originals, and with Copies authenticated under our Hands and Seals respectively; the Originals to be restored us, together with Copies collation'd and attested by the Mediators. The *D. de Chaulnes* asking us, whether we approved of this Way, to which they of *France* had no Exception to make, We readily agreed to it, and undertook to be in a Readiness, whenever we are called upon for our Powers.

THE other Preliminary, (as the Duke told us) was propos'd by the Mediators to be thus adjusted; That there should be a Covent, or some great House, or Quarter found out, where the respective Parties interess'd might have their several Chambers or Apartments, by which Means the respective Allies might, with much Ease, and upon all Occasions, resort each to other, and the Mediators to all, and any of the Parties to them: This not to be understood, as if the Mediators intended all the Interessents should assemble in one Room upon every Conference, but that each Party should render themselves in their own Apartment, whenever the Mediators should notify their Desires to that Effect.

THE Duke further told us, That he and his Collegues had answered the Mediators, that they could not resolve this Point, till they had spoken with us, adding, that if we agreed to it, they would concur; the Mediators having charged themselves with the Trouble of finding out a Place convenient. To this Proposition (the Precedents considered) we saw no Cause to demur, but did readily declare our Concurrence.

THE Duke told us, the Mediators had gone further with them, and desired to know what were the Demands of *France*, *Au Fonds*; adding, that to this they had answered most expresly, that they could not enter upon any Business, or Branch of Affairs, till they had communicated with us, their Orders being precise not to do any thing, but in Conjunction with *England*; upon this Subject the Duke and Monsieur *de Courtin*, took Occasion to enlarge upon that Cordial Union between the two Kings, and to let us know, nothing can be more express and precise than their Instructions are, to labour the Service and Satisfaction of our Master, as much as that

that of their own: That there might be such a Frankness of Communication between them and us, as may correspond with the Union between our Masters: That our Visits and Intercourses might be for the future *Sans forme & en Amis:* that the good Luck we have of being lodged so near (as we are) the one to the other, might so far be improved, as that hereby our constant Communication and good Understanding may be taken notice of by, and *eclater* to all the World, that those who malign it, may be put into a perfect Despair of being ever able to disconcert us, by any Jealousy or Misunderstanding.

In the Close the Duke did propose, that we might take a Liberty to visit the *Dutch* Plenipotentiaries, and to pay them the usual Civilities. M. *de Courtin* added, it was very justifiable, in Regard their King did still in his Passports call them *Tres-cheres & grand Amis*, and that this Kind of Visit was practis'd at *Munster* and *Breda*; Monsieur *de Barillon* adding, that this was a Place of Truce, and all of them concluding that it was most suitable to the Majesty of both our Masters to use a Condescension of this Nature, where there is no Pretence of Competition, and where their present Successes will be yet more glorious by this Instance of Moderation.

The Plenipotentiaries of *France* having thus ended their *Entretien*, we went and made the first Visit to the Mediators, who were pleased to assure us, they intended the first to us, as our due, having indeed sent to take an Hour of us for that Purpose.

Monsieur *le Comte de Tott* discoursed to us, of the Impatience and Vows of all *Europe* for a Peace, as also of the Manner of Communicating the Powers, and adjusting the Place and Manner of the Conference as they projected it; adding, that they desired we should out of Hand fall to the main Work; which (tho' the Treaty of *Munster* had lasted five Years) might be finished in a very short Time; such is their Confidence in the Goodness of both Kings.

The Plenipotentiaries of the *Dutch* came to this Town about three Hours after us, on the same Day, and sent a Gentleman yesterday to notify it; Monsieur *Odyike* came not till *Wednesday* at Night.

The Bishop of *Strasburgh* gave us a Visit yesterday, professing himself a Well-wisher to the Peace, and a very faithful Servant to his Majesty. We are, *&c.*

To the Earl of *Arlington.*

Cologne $\frac{8}{18}$ *June*, 1673.

My Lord,

We gave your Lordship yesterday by the Ordinary, an Account (the Duplicate whereof is here inclosed) of the Visits we have received since our Arrival here, which was on *Tuesday* last the 3d Current, as also some Part of the *Entretiens*, which we had with the Plenipotentiaries of *France*, and with the Mediators: But understanding that the Post Letters are frequently opened, and sometimes lost, we reserv'd the rest for this Conveyance, judging it to be in this Juncture of Importance enough for an Express.

When the Plenipotentiaries of *France*, My Lord, told us they had answered the Mediators, they could not enter upon any Particulars of Affairs, without our Conjunction, Monsieur *de Courtin* was pleased to add, that tho' the *Dutch* should offer them more than the Most Christian King

King can either pretend to, or hope for, yet that they are not to hearken to them unless the Satisfaction of our King be in the same Measure provided for.

This gave us Occasion to let them know, how precise our Instructions were, not only to communicate with their Excellencies in every thing we had to propose, or hope for in this Treaty, but also to banish all Manner of Suspicion or Reserve, and to live in an entire Confidence and Union of Counsels with them, throughout this Affair.

Here the Success of his Majesties Fleet in the Engagement of the 28th past, and the Forwardness of the Siege of *Maestricht*, coming to be mentioned, M. *de Courtin* took Occasion to tell us, that we had no need to be pressing in our Demands, but to suffer the *Dutch* to make the first *Demarche*; that a Month, or two, or three at furthest, (within which time a good Account of *Maestricht* was to be expected) would ripen things very much, and dispose the *Hollanders* to believe, they are in more need of Peace than they think themselves to be in at this present; that the two Kings are prosperous in their Arms, and that nothing presses hard upon either of them: He added further, that the most Christian King had no Particulars to insist upon by Way of Demands for his own Satisfaction: That when they (his Plenipotentiaries) should be called upon to propose their Demands, would have little to say more, than that his most Christian Majesty would quickly rest satisfied (the Gages he hath already in his Hand being very sufficient to indempnifie and secure him) when his Allies (the King of Great *Britain*, the Elector of *Cologn*, and the Bishop of *Munster*) had received what is Satisfactory in their Pretensions. M. *de Courtin* repeating more than once, that when *Maestricht* (which hindred the Communication of their Conquests, and had cost them a vast deal to keep in, and watch over it the last Year) were taken in *L' affiare meuriroit*, their Master would be able to press them more on the *Brabant* Side, and our's would do it by Sea, and by a Descent, and so in a few Months more, they would be more effectually, and more easily brought to Reason.

We had likewise a Discourse of Monsieur *Le Baron del Isola*, as a Person most likely (when he came) to attempt something, in Order to raise Jealousies, and to disconcert us, it being suitable to his Talent and Manner of Proceeding. M. *de Courtin* adding, how necessary it is that we should stand well upon our Guards against his Insinuations. It was said, that *Don Emanuel de Lyra* and *He* would come hither with the Characters of Envoys only, and will not visit Ambassadours, as expecting where they do Visit, to have the Hand given them; which is contrary to the Style received both in *England* and *France*.

M. *de Courtin* said, that the Pensioner *Fagel* had discovered to one of the Mediators, at their Parting from the *Hague*, that M. *Beverning* is solely intrusted with the Secret of this Negotiation; his Reflection was, that he is an able and a wise Man; and such as, if he be left to himself, will not be imposed upon by the Promises, or other Arts of *Spain*, (well knowing how little they can do) but will come to Reason suitable to the present Exigency of his Country, unless he be tyed up too close by his Instructions, or else overaw'd by the Fates of the *De Wits*.

M. *de Courtin* gave us a Visit (as he calls it) *en amy*, coming on Foot to our House, the next Morning after they had seen us in Ceremony. He was pleased to be then very free, and earnest in perswading us that we should not press forward in any thing, but rather suffer the *Dutch* to advance, and to draw us on, only wishing to avoid the giving any *Umbrage* of Backwardness on our Side: he advised us not to insist upon a

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Project, which he guessed (as he said) we might have of a Treaty of *Commerce*, but to refer it by a relative Article to be adjusted hereafter, at *London*, *Paris*, or other where, his Master having the like Project, (tho' his Commerce be not so great as ours) but thinks fit to adjourn it to another Season; adding, that hereby both Kings will be able to avoid all Imputations of Delay, and yet will be sure to have very good Terms for their Commerce, when their Success shall have brought on, and established an advantageous Peace.

HE still repeated, (MY LORD) that fifteen or twenty Days after the Opening of the Trenches at *Maestricht*, would bring a good Account of that Place; and that afterwards the *Dutch* would find, when the *French* Forces were disengaged from that Siege, they have more need of a Peace than now they feel.

HE let us know likewise, that his most Christian Majesty had sent to *Vienna*, and *Ratisbone*, to let the Empire and the Princes of the Empire know, that since it is expresly provided in the Treaty of *Munster*, that no Forces of the Empire shall be employed in Aid of the Enemies of *France*, he desires no more than the Observation of that Article; and if the Princes of the Empire will please to become Guarands of the most Christian King, that neither the Emperor nor any other Princes shall employ their Forces, in Aid of the *Hollanders* his Enemies, against him, or his Allies in the Empire, he will forthwith withdraw all his Troops out of the Empire, and leave all the Posts, he is there now possessed of, as he found them.

M. *de Courtin* believes, there is among the Princes a Party strong enough to form this Guarranty, and his Master does expect to receive a good Account very suddenly of his Applications at *Ratisbone*, and other where in the Empire, upon this Point.

THAT therefore there was nothing pressed on the Part of *France*, since the *Brandenburgher* was taken off, and the *French* Troops in the Empire like to be at Liberty from attending further there, and that their Conjunction with the Army before *Maestricht*, and of both (since that Siege is not likely to detain them long) with the Prince of *Condee*, will in all likelihood bring the *Hollanders* upon their Knees, when all these Forces are poured upon them.

THE Bishop of *Strasburgh*, at the Visit he gave us, and at that we returned him, spoke this Sence, and this Language of the *French* Plenipotentiaries; his Judgment is, (as he says) that the *Dutch* are not as yet sufficiently humbled, and he has a Quarrel with them (besides those Temporal ones of this Elector) upon the Account of Religion.

THE Catholicks (as he says) must be brought in to Sway Votes and Offices, so far as to Ballance the *Calvinists*, and then the Catholicks will find it to be their Interests to oppose themselves against the Exorbitancies and Revolts of the adverse Party.

M. *le Duc de Chaulnes*, and M. *de Barillon*, told us, in a Visit *sans forme*, (as they call it) which they were pleased to give us, that they thought it worth the while to impart to us, what fell from the *Dutch* Ambassadours in a Visit they gave them; they bemoaned their Misfortune very much, in that their Allies (they named those of *Spain*) were not yet arrived. It is very probable, by the Circumstances of the Discourse, that the *French* do dislike the Coming of those Allies; but whether they will make any Opposition to their being admitted Parties, we cannot yet discover.

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THE *Dutch* indeed made the ſame moan to us, ſaying, that the Emperor's Plenipotentiaries muſt be the longer before they come, in Regard they muſt ſtay for new Paſs-ports for their Coming to this City.

M. *le Comte de Tott*, in our Viſit to the Mediators, began with an Intimation of the Impatience wherewith they (the Mediators) had expected our Coming, enlarging himſelf upon the Intereſts and Vows of all *Europe* for a Peace; that now the War is not againſt *Holland* only, but begins to involve all. That it will be for the Glory of the two Kings, to remit of their Rigours, and to ſuffer thoſe People to live; that now they are ſufficiently mortify'd, and will not in a hundred Years recover the Devaſtation of this War; that they will accept of any thing, but *d'une Paix ruineuſe*: That the King of *Sweden* had ſufficient Cauſe to be diſſatisfy'd with them, but that he had ſacrificed all to that Pity which he has for their preſent Miſeries; adding, that it was very much the Deſire of the Mediators, we ſhould forthwith fall to the main Work, hoping it would happily be finiſhed in a ſhort Time: The moſt Chriſtian King having aſſured M. *le Comte de Tott*, that his Ambaſſadours ſhould have Orders to give all the Furtherance and Diſpatch poſſible to this Affair.

M. *de Courtin*'s Reflexion upon this Diſcourſe was, (when we told him of it) That (beſides that a Diſcourſe of this Tenor became a Mediator very well) the *Swedes* are very unwilling, as all their Neighbours are, that *Holland* ſhould be ſwallowed up, and the Government extirpated: That thoſe private Leagues and Menaces of the Princes of *Germany*, now at *Brunſwick*, are carried on with View and Contrivance of *Sweden*; yet that *Sweden* dreads to offend the two Kings, and that it will not attempt any thing to ſave *Holland*, till it comes to yet greater Extremities: So that if the *Swedes* do ſtir, they are like to come too late, ſince all the *French* Forces will be ere long to attend them in their Attempts.

ON *Saturday*, the Ambaſſadours of *France* told us, the Mediators had preſſed them very much to enter upon the Particulars of their Demands. Their Anſwer was, that they were to communicate the Overture with us; but that in Truth, they had nothing more to aſk, but that the *Dutch* would give Satisfaction to our Maſter; when that were accompliſh'd, their Maſter would be content with his Conqueſts, and make up the Peace as ſoon as they pleaſed: The Mediators hereupon reply'd, that the *Dutch* were at a Loſs, how to ſatisfie our Maſter, when the *French* had told them, our King expected to have ſome Places put into his Hands: Their Reply was, that the *Dutch* Plenipotentiaries durſt not conſent to give any Part of their Country, for Fear of the ſame Fate with the *De Witz*.

LAST Night, (MY LORD) Monſieur *Sparr* made us the ſame Overture, (*en Confiance*, as he was pleaſed to ſay) as had been made on *Saturday*, to the *French*: He deſired to know our Maſter's Demands, not to publiſh them, but to manage them for his Majeſtie's Service. We told him that we muſt (according to the fundamental Rule given us) deſire his Permiſſion to communicate upon this Overture with the Ambaſſadours of *France*, that our Maſter's Demands are (as we conceive) not unknown to any that are inquiſitive: Since our Maſter is not more high or difficult in his Demands, notwithſtanding the Succeſs of his own Arms, and thoſe of *France*, than he was by his Ambaſſadours in *Holland* about this Time twelve Months.

HERE Mr. *Sparr* interpoſed, ſaying, that probably we deſire to have ſome Iſland, or ſome other footing in the United Provinces; which could not be, as the *Dutch* gave out, without the utter Diſſolution of their

Government; that it had been a Question not long since briskly argued *pro* and *con*, in *England*, whether it was the Interest of that Crown, to have and hold any Places upon the Continent: But when he was told that nothing was desired by our Master but what the *Dutch* must now do for *France*, and had formerly done for *England*, and that he aimed at no more than by a more probable Gage in his Hand, (then Treaties have hitherto proved to be) to secure his Kingdoms (which had now, in the Compass of twenty Years, been forced to engage in three very bloody and exhausting Wars) from being embroil'd again, as soon as that Republick shall find it for their Turn to break the Peace; he seemed to be well satisfyed, and to find Fault with the Conduct of the States in what hath passed.

Upon Communication of M. *Sparr*'s Overture with the *French*, we find them resolved not to give in any Demands of their own in Writing; and they disswade us from doing it, for the ill Use of those given in the last Year: Yet we must here, My Lord, beg leave to observe to your Lordship, the Difference between our Case and theirs: *First*, The *French* need not make any Demands; the *Dutch*, as the Case stands, will make them Offers; on the otherside, unless we make our Demand, the *Dutch* will be sure never to offer any thing to our Purpose: *Secondly*, The *French* have already more in their Hands than they do pretend to hold by Treaty: We have got hold of nothing yet; so that we must come to a Particular with the Mediators of his Majesties Demands, but they shall be communicated to them, by Word of Mouth only, and not in Writing.

Thus we hope, My Lord, to keep close to our Instructions, acting in Concert with the *French*, so as not to give in any in Writing, but to desire their Assistance to such Demands, as we shall lay first before them, then before the Mediators by Word of Mouth, and we shall be ready to support their Expectations of Offers from the *Dutch*, with those Arguments which their present Possession, and their Progress does afford.

That this of proposing our Demands, must be done very suddenly, we have Reason to believe; for the Mediators having had our several Powers four Days ago, are pleased not to except against the Sufficiency of any of them, as M. *de Tott* told us last Night. Only the *Dutch*, as to the Place, are limitted to *Aix*, which the Mediators do undertake to get supply'd, in the Interim the Treaty to go on.

The Mediators have given notice to the *French* and to us, that they have pitched upon the Covent of *Carmes* in this City, as the most convenient Place they can find, for the general Conferences; desiring us to make Choice of the Chambers, that we would retire to, in the general Meetings.

They have desired us, to forbid our Footmen and Pages to wear Arms, as they have forbid their own.

My Lord, we most humbly beg your Lordship's Pardon for this very tedious Narrative; but we knew not how to omit any Matter of Fact or Discourse that came in our Way, thinking it safer, in our first Steps especially, and in the Want we feel of my Lord the Earl of *Sunderland*'s Conjunction. We are, &c.

Postscript.

My Lord,

We are now at the $\frac{1}{11}$th Current, having kept back this Express in Expectation of something else worth your Lordship's Notice; but nothing

nothing hath ocurr'd beside what hath been inclosed in another Pacquet of the same Date, *viz.* M. *Duc le Chaulnes* his Intelligence from the *Hague*, and the Pleinpouvoir of the *Dutch*; The Mediators are just now gone from us, pressing that we would declare our Demands *en Confiance*, the *French* having done it so far, as to own their Demands are the same with those which the most Christian King did impart to Monsieur *le Comte de Tott*, in *Paris*; upon this we have, by Way of Discourse and *en Confiance*, given them the principal Heads of his Majesties Demands, as they lie in our Instructions: The Caution is the only thing they shrug at, but not so much, knowing it was in last Year's Demands; they say the *French* are much abated from what they demanded last Year; and they promise themselves the same from our Master, upon Advice they have from Monsieur *Leyenbergh*. They say now is the Moment to make a Peace, before the Emperour do engage.

To the Earl of *Arlington.*

Cologn $\frac{11}{21}$th 1673.

MY LORD,

YOUR Lordship's Letter of the 2d, and another of the 6th of *June*, we had the Honour to receive both together last Night. Nothing could be more welcome here, than the Confirmation of what his Highness Prince *Rupert* was pleased to Order his Secretary to write of the two Engagements: This City entertaining all with Greediness, and Dispersing all over *Germany* those shameless Untruths, that the *Hollanders* think fit to impose upon them.

WE shall with all Care obey his Majesties Orders concerning St. *Hellena*: The News of the *Danish* Treaty was come to the *French* Ambassadours, but they have no Particulars; and indeed had a great Difficulty to believe it, before this Confirmation from your Lordship. It is their Opinion, that the *Swedes* may have given some kind of Encouragement in it, as well as in the Leagues now carried on at *Brunswick*.

HAVING first communicated with the *French*, we did yesterday Discourse his Majesties Demands to the Mediators, as they lay in the second Article of our Instructions; they said, the obtaining of Places would be very difficult, they would not (as they phrased it) say impossible: They ask'd, what Places? We answered, the same that were demanded last Summer.

TO this they said, the King of *France* had fallen much in his Demands, they hoped our Master would also come lower. Whereupon we said, that, to be free with them, we wou'd *en Confiance*, tell them our Master would content himself with these Places, *Flushing*, *Ramekins*, the *Brill*, *Helvoerdsluis*, and *Goree*. For having, as we thought, by the nearest Observation we could make on several Occasions, found less unlikelihood than at first; we had feared of having the King complied with at last in this main Point of Places, we thought it best to make our Demands thus at first, and so to have it in our Hand to fall lower and lower in Proportion, as we should find our selves obliged by the Conjuncture of things; than just to say at the first, our very last and lowest Demand in that Particular.

HAVING after all told the Mediators, that there was enough, as we thought, said in that Point for the present, till we could be assured by them that the *Dutch* were indeed in a Disposition to part with some

 Places

Places to his Majeſty, (without which, we declared ſolemnly there was an End of Treating on our Part) and which, if that we could once ſee, there would be Means found poſſibly of ſoftning and leſſening our Demands in ſome Circumſtances; and this we ſaid, for this Reaſon, that as, on the one Side, we were loath to expoſe our ſelves, by giving the very laſt and loweſt of our Demands in this great Point at firſt, till we can be aſſured by the Mediators, if the *Hollanders* be willing to grant at leaſt ſome Places; ſo we were deſirous, on the other Side, to prevent that the *Hollanders* ſhould be diſmayed in the Treaty: If indeed they have any Diſpoſition to give any Places, nor have it in their Power, in Caſe they abſolutely refuſe to give any, and ſo the Treaty be broke up, to perſwade the World the Fault was ours, from the Unreaſonableneſs of our Demands in this Particular.

My Lord, as to other Matters, we take leave to refer ourſelves to ours of the 6/16th by the Ordinary, and to another of the 8/18 th, continued to the 11/21 th of *June*, by an Expreſs. We remain, *&c.*

To the Earl of *Arlington.*

17/27 th *June*, 1673.

My Lord,

OUR laſt was of the 13/23 d Current, wherein we gave your Lordſhip an Account in Cypher of the Converſation we had had with the Mediators, and how we had opened to them his Majeſties Demands. This was done, My Lord, on the 11/21 th, and having not ſeen or heard from them ſince, we gave them yeſterday a Viſit.

They told us, how ſorry they were that the Conferences were not already begun, they having thought to bring it about e're this at the *Carmes*; that the *Dutch* and their Allies were the Cauſe of the Delay; and that they had told them ſo to their Faces; that they had hitherto heard nothing from the *Spaniſh* Miniſter arrived here 5 or 6 Days ago; that he had not ſo much as notified them of his Arrival. That they had ſent to his Houſe to awaken him (as they phraſed it), but that he would not be found at Home.

However, that it was their Requeſt to us (having made the ſame to the *French*) that we would meet this Morning at the *Carmes*, and enter upon our Matter. "That ſince we demanded certain Conditions, and "a Caution for the Performing of thoſe Conditions; It was Reaſon to "adjuſt the Conditions firſt, and then to debate the Caution."

That the *Dutch* Ambaſſadours had told them plainly, that they, for their own Parts, would never conſent to the giving up of Towns or Places to our Maſter; only they had ſoftned it with ſaying they muſt adviſe with their Principals, and that they did not know what their Reſolution would be in this Point: That the *Dutch* pleaded the giving up of Places or Towns, in a Caſe as this is, was without Precedent or Example; and that they, the Mediators, having conſidered of it, could not find any Inſtance parallel to this: That they deſired leave, (our laſt Communication being *en Confiance* only) in their Diſcourſe with the *Dutch*, to tell them they were ſure we would demand Places: That ſince the *Dutch* Ambaſſadours muſt neceſſarily be allowed Time to conſult their Principals in this Important Point of Places, we would, in the Interim, apply ourſelves to adjuſt other Points more eaſy to be accommodated.

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We told them, that this Gage of Places was the first and principal Thing in his Majesties View and Expectation, and must therefore be presuppos'd in our Treating as a Thing not to be denied us; his Majesty being resolved not to heed nor accept any Concessions, tho' never so fair and ample, without that Kind of Gage; however, that we would, as we are instructed, communicate with the Ambassadours of *France*, and attend at the *Carmes* this Morning; if we happened to have notice to that Effect. But the Meeting there hath been put off this Day because it is Post Day; to Morrow we shall be summon'd thither in all Probability.

Since this Discourse, we find upon Speech with M. *de Chaulnes*, that the Mediators had been earnest with the *French*, to labour the Bringing of us to more moderate Terms: That they had pressed to have their, and our Demands put in Writing: That the *French* are still resolved not to make any Demands, but to expect offers from the *Dutch*; That no other can be expected, but that the *Dutch* will trifle in this Treaty, since their Hopes are big from the Measures taken of late between the House of *Austria*, the *Dane*, and other Princes. Just as we are closing, M. *Courtin*, and M. *Barillon*, come and tell us, that the Mediators say, that the *Dutch* will not make any Offer to the King of *France*; the *French* are resolved not to make any Demands, nor to treat upon general Heads. We are, *&c.*

To Mr. Secretary *Coventry*.

Cologn $\frac{17}{27}$th *June*, 1673.

Sir,

We acknowledge the Honour of yours of the 6th, with all humble Thanks. The Communication of his Majesties good Success in the second Engagement, was a Favour so much the more seasonable, as the Untruths are bold and shameless, which the *Dutch* have endeavoured to spread, and meet with Credit in these Parts: We did yesterday discourse that Part of your Letter to the Mediators, which concerns the Enlarging of Mr. *Carew*, now Prisoner at the *Hague*, and of the Order of the States upon their Overture: M. *Sparr* was ill of the Gout, but M. *Ehrensteen* charged himself with the Papers, and to discourse the Subject of your Complaint, Sir, with the *Dutch* Ambassadours, saying no more at the present; but this Order of the States was sent after them, when they had taken leave of the *Hague*.

When we have any Account from them, we shall be sure to transmit it to your Hands, together with the Assurance of our being, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{20}{30}$th *June*, 1673.

My Lord,

By the Ordinary on *Tuesday* the $\frac{17}{27}$th, we troubled your Lordship with two Letters, containing an Account of what had passed here to that Time.

On *Wednesday* the $\frac{18}{28}$th we met at the *Carmes*, when appear'd only the Mediators, and Ambassadours of *France*: The Mediators took Occasion

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to tell us, of the Difficulties they were in, how to enter upon the Work; in regard that the Ambaſſadours of *France* would make no Demands in Form, but expect Offers from the Ambaſſadours of the States; and that it would be hard to preſs us, who are in all Things to make our Steps and Advances, as *France* does, to make any further Demands or Declarations of our Maſter's Pleaſure, than that we have already made: For your Lordſhip will pleaſe to recollect, out of our former Letters, that we have moſt diſtinctly, and Point by Point, communicated to them (the Mediators) the principal Matters of his Majeſties Demands, as they lie in the ſecond Article of our Inſtructions. They therefore, the Mediators, had at firſt, as they ſaid, thought to draw up a Project of their own for the Parties to debate upon: But upon ſecond Thoughts, they do not judge we are ripe yet for it, till the Demands on both Sides are better digeſted. Therefore the Mediators made it their Propoſal to us, that we would forthwith enter into debate of the common Articles, and ſuch Points as might with leſs Difficulty be accommodated; they inſtanced in that of the Flag, and ſuch as the Ambaſſadours of the States had already Power to adjuſt; leaving the Ambaſſadours to conſult their Principals in the mean Time upon thoſe Points, of Towns and Places eſpecially, which are of greateſt Difficulty. Another thing they offer'd us, not as a Propoſition, but as they ſtyl'd it, a politick Reflexion upon this laſt News from *Vienna*, and other Parts of the Empire. It was, that nothing could be more glorious and ſafe for the two Kings, than to condeſcend to a general Ceſſation of Arms for a Month or Six Weeks, preſently to begin; that without this, the Emperor would very ſuddenly fall towards theſe Parts with an Army of (as ſome ſay) 25, others of 30 thouſand Men, the 16th of *July* being appointed for a general Rendezvous at *Egra*; and that the *Spaniard* likewiſe would come to a Rupture: If a Ceſſation of Arms were agreed, the Mediators would let the Emperor know, that the *Swede* would oppoſe his March; and they would let the *Dutch* know, they would joyn againſt them, unleſs they gave a reaſonable Peace to the two Kings.

They diſcourſed very long and warmly upon this Subject; much inſiſting, how glorious it would be for the two Kings, while their Arms thus proſpered, to condeſcend, firſt, to a Ceſſation, then to an eaſy Peace, to ſave *Holland* from Ruin; to prevent the further Shedding of Blood, and the Engaging of all *Europe* in immortal War; adding, that if, during this Ceſſation, the *Dutch* would refuſe to come to Reaſon, the King of *France* might have Time enough to chaſtiſe them, and our Maſter to make his Deſcent, before the Campaign were ended.

As to the Propoſals, which the Mediators had made, that we ſhould treat the more common and eaſy Articles with the Ambaſſadours of the States, while they did conſult their Superiors upon the difficult Points, our Anſwer was ſhort, that we would firſt communicate upon it with the Ambaſſadours of *France*, and then give their Excellencies, as we have done ſince, our Anſwer.

As to the Politick Reflection; our Anſwer was; That we had no Power to treat of any Ceſſation of Arms: We added, that it was an improper Seaſon to move for it, in the heat of a Campaign: That for our Part, (ſuppoſing his Majeſties Allies ſatisfyed) we ſhould be able to conclude a Peace, ſooner than to give an Account of our Maſter's Pleaſure touching a Ceſſation of Arms: That if all *Europe* were put in a Flame, thoſe who engage in new Alliances and Obſtinacies, to continue the War, are to bear the Blame: That the World would ſee, there is nothing in his Majeſties Demands, that the *Dutch*, their preſent Condition

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and State considered, have Reason to refuse him, and to continue the War.

Having thus broken up at the *Carmes*, we went and communicated with the Ambassadours of *France*, about entring into a Treaty upon the common and easier Articles. We had found them upon all Occasions very averse from entring upon Particulars; and it was their Sence, that when the Subject Matters were agreed on, the Treaty would, with Ease, and without any Time lost, be formed into Words. We did upon this Occasion, as nearly as we could, consider the Words of our Instructions, which are, "to support each other in our Demands, and to obviate "all Occasions of Jealousie," which, as we conceived, would necessarily follow, if we did treat of any Matter, tho' never so common, in the Absence of the *French*, and separately from them. We told them therefore, that our Answer, if they approved of it, should be, That we would not treat upon any common Articles unless they did the like.

Hereupon the *French* declared themselves to be well content, that we should discourse and debate; wherein their Advice was, that nothing of Writing should intervene, of any Article that the *Dutch* had Power to conclude; and to this Effect was our Answer to the Mediators; and this is as far as we intend to go, with the View and Communication of the *French* all along, hoping it is suitable to his Majesties Pleasure; and we beseech your Lordship to give us, by the first, his Majesties Commands, in Case it should prove otherwise.

Yesterday, My Lord, the Mediators summon'd us to the *Carmes* again, where we found none but the Ambassadours of *France* that appeared: The Business was to acquaint us, that the Mediators having communicated to the Ambassadours of the States, that both the Kings would undoubtedly stand upon having some several Places put into their Hands, had left them in a great Perplexity; so that they could not then resolve whether they would dare to write, or not, to their Principals, in a Point so fatal to their Liberty. Then the Mediators were pleased to repeat the Reasons and Arguments they had made use of at our former Meeting, by Way of Politick Reflexion, upon a Cessation of Arms to be forthwith had, conjuring us to lay them before our Master, adding, that tho' our Master will not be so merely concerned in a general War upon the Continent, yet that it will be for his immortal Glory to prevent it by this Cessation.

M. *le Conte de Tott* further told us, He had Orders from his Master to go to the Camp before *Maestricht*, to make some *Esclaircissements* there, of some late Proceedings in *Sweden*; and that when he was there, he would lay the Reflexion above mentioned, with all his Reasons for a Cessation, before the most Christian King; tho' he would not stay for an Answer, as well knowing, that no Answer will be given without Communication first had with our King and Master. Upon this whole Matter, we cannot but observe to your Lordship, first, that the (*Swedes*) Mediators, when they pressed us to treat of the common Articles, they did more than once wish, that one of the two Kings might be first contented, that he might afterwards be brought to joyn with them as a Mediator to the other. 2. That this Matter of Cessation, was never mentioned till our Meeting at the *Carmes*, and it is the Conjecture of the *French*, as well as ours, that this is from the Ministers of *Spain*, since their Arrival in this Place. 3. That the Ambassadours of *France* often told us, that their Treaty will be done in a few Lines, the Cession of such and such Places being all their Affair; yet it appeared yesterday by the Discourse of the Mediators, that some Word had fallen from the *French*, as if

after

after the Ceſſion obtained, they would have Articles, ſome about Religion, others about their Allies, others of certain Submiſſions *Hontcuſes*, &c. from the *Dutch*, and therefore have no Plan or View of what will amount to the Satisfaction of *France*: Which we took the more Notice of, in that the *French* have not hitherto imparted to us any Particulars of their Demands, otherwiſe than by taking it for granted, that we have ſeen the laſt Propoſitions imparted to our Maſter by Monſieur *Colbert*.

ON *Wedneſday* laſt, *Don Emanuel de Lyra* and M. *Blondel*, the Plenipotentiaries of *Spain*, ſent to complement us, as they did the Mediators, and the Ambaſſadors of *France*; and we did by Concert return to them our Complement again. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{21\ June}{1\ July}$ 1673.

MY LORD,

WE have thought it our Duty to cloſe with this Expreſs of my Lord of *Peterborough*'s, and to ſend your Lordſhip Duplicates of all the Letters (excepting the firſt, the Duplicate whereof is already ſent) that we have had the Honour to write to your Lordſhip, ſince our Arrival here. We have nothing to add, unleſs it be that of M. *le Comte de Tott*'s being gone yeſterday Morning for the Camp before *Maeſtricht*: His Buſineſs we have hinted at in yeſterday's Letter by the Ordinary: Only Mr. *de Courtin* hath told us, that he pretending to Arms, and hoping to ſucceed the old Conſtable in *Sweden*, did propoſe it as an Advantage to himſelf, to be preſent at ſo famous a Siege. We ſhall crave Leave to add one Thing, that fell from the Mediators at the laſt Conference; it was, that the *Dutch* did not want great Offers of Aſſiſtance from the Emperor and *Spain*, but that they dare not embrace the Conditions upon which that Offer is made; ſince the Conditions of recovering what *Spain* loſt in 67, and of *Lorain* and *Alſace*, would unavoidably engage them in a perpetual War. Mr. *de Ehrenſteen* was very inquiſitive, whether our Maſter would accept of any Equivalent in another kind, in lieu of thoſe Places which he demands for Security; he inſtanced in an Oath, that the Prince of *Orange* ſhould take to ſuch an Effect as ſhould ſatisfy his Majeſty. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{24\ June}{4\ July}$ 1673.

MY LORD,

OUR laſt by the Ordinary, was of the $\frac{20}{30}$*th* paſt: On the Day following we cloſed with my Lord of *Peterborough*'s Expreſs, and ſent Duplicates of all the Letters we have had the Honour to write to your Lordſhip from this Place.

YESTERDAY M. *Ehrenſteen*, in a Viſit he gave us, excuſed it, that our Conferences at the *Carmes* are at the preſent diſcontinued. M. *le Comte de Tott* being gone to the Camp at *Maeſtricht*, and Mr. *Sparr* being laid down of the Gout, he durſt not, in his ſingle Perſon, undertake the Management of thoſe Meetings. Thus he was pleaſed to introduce

troduce himself to a Recapitulation of the several Heads of his Majesty's Demands, in the same Order as we had communicated them some Days ago to the Mediators. He dwelt longest upon the Right of the Flag, and the Acknowledgment for the Fishing; saying, it was only in order to inform himself of the Matter of Fact, and of our Reasons. We told him, the King our Master would never endure his immemorial Possession of the Right of the Flag, (being a Thing too highly notorious to all the World) to be made the Subject Matter of Reasonings and Disputes; only that as private Persons, in ordinary Conversation, we could let the Mediators see, and satisfy themselves out of Evidences authentick, how the Matter of Fact hath gone for several hundreds of Years last past. The like was said of the Fishery, as far as the Matter of Fact would bear, without launching into any Reasons of our own, in either case.

He was likewise pleased to desire something in writing from us, for the Help of his Memory in these Points, and for the easing of the Mediators Task, in framing of Articles, fit for both Sides to acquiesce in: Our Answer was, that his Excellency had (by the Enumeration of his Majesty's Demands he had then made) made it appear, that he had fully digested all the Matters of Moment that were to be insisted on, on our Parts; that, on the other side, Reasons and Arguments in writing, did always beget endless Exceptions and Replies, and were attended with such Inferences and Deductions, when they came to be made Publick, as were fit to widen, but not to close a Breach: But we assured him, we should be ready, whenever the Mediators should find any Grounds to believe, that the *Dutch* did seek a Peace in earnest, and were resolved to comply with his Majesty in the Substance of his several Demands, but most especially in that of Places, to lay before them those Demands, drawn up into so many Articles, in that very Form as we should desire to have them inserted into the Treaty.

Upon our Communication, My Lord, of this Intercourse with the Ambassadors of *France*, we found that M. *Ehrensteen* had been with them likewise, and had pressed for some Helps to his Memory in writing; but that they were of Opinion, not to give that Handle to the Discretion of Transcribers; only they would be content the Mediators should write down what they should think fit, as their Sense, and even in their Presence.

We found likewise, My Lord, that he had told them, (indeed he had told the same Thing to us) that the *Dutch* Ambassadors had acknowledged "the Receipt of Letters from Monsieur *Fagel*, in Answer to "those they had written, touching Places demanded by the King of "*France*; and that in those Answers, M. *Fagel* had plainly told them, "it would be impossible to dispose the Provinces to part with that "Equivalent, which the Most Christian King demanded, much more to "make a Peace with him, he holding what he hath gotten."

We found also, that he had told them something of what had passed between him and the *Spanish* Plenipotentiary *De Lyra*, about an Exchange of Places to be made by the *Dutch* with *Spain*; such as would make up that Equivalent which the *French* demanded, and would be most convenient for each Side to part with; he had answered him plainly, he had no such Instruction, but would write about it: yet M. *Ehrensteen* did not find, that *Spain* had any Inclination to that Expedient.

We have received, My Lord, from M. *Ehrensteen*, a Copy of the *Dutch* Plenipotentia, as 'tis pretended, to be reformed (upon the Observations we had made upon it to the Mediators) by the States General. We have not yet had Time enough to examine it, only we find at the

first View, that the Preface, wherein a Question is begg'd, in saying they have offer'd to the Powers that are now in Arms against them, all the Satisfaction and Reparation they could pretend to, which makes the Two Kings to be in the Wrong, and the States in the Right, is not at all altered. We think it, My Lord, still our Duty, tho' the *Swedes* (when we complained of it in our Remarks upon the first Powers produced us) made slight of it, to insist for an Amendment; since we have a Precedent for it in Point, in the Treaty of *Munster*, and since the Powers being to be incorporated into the Treaty, are as authentick, as to Matter of Evidence, as any Part of the Treaty: We shall therefore put in (with the Mediators) such an Exception against the *Preface*, as shall not hinder Proceedings, but shall still be entire unto us, till we have the Honour to know his Majesty's Pleasure in this Point: We must not expect the Ambassadors of *France* to joyn with us in this Point, their *Preface* having the same Fault. We are, &c.

To the Earl of *Arlington*.

Cologne $\frac{27\ \text{June}}{7\ \text{Jul.}}$ 1673.

My Lord,

OUR last was of the $\frac{24}{4}$*th*, by the Ordinary, since which Time we have the Honour of your Lordship's, of the 16*th* of *June*, O. S. to acknowledge; there hath since our last nothing occurr'd, that we can think worth your Lordship's Notice, unless it be a Report of the Arrival of an *Imperial* Minister (we conceive him to be the Baron *del Isola*) on *Wednesday* in this City.

We find, by a Conversation had on *Wednesday* with the Mediators, That they will (as soon as M. *le Comte de Tott* comes Home from *Maestricht*, whence he is expected this Day) press earnestly, that we should begin the Treaty, and enter upon the Articles easiest to be adjusted: We tell them still, the whole Work will be made very short and easy, as soon as we can discover the *Dutch* are resolved to comply with his Majesty, in that Fundamental Point of giving him Places for his better Security: And they still return to their usual Answers; 1*st*, That they hope his Majesty will forego that Demand, when he finds his Satisfaction to the full in all other Points; and that all *Europe* will owe its Repose to his Majesty's Condescension in that Point. 2. That it will not much avail his Majesty, in order to hinder the *Dutch* from breaking, when they have a Mind to it, to have a Place or two in these Provinces, which they will be able sufficiently to provide against. But, 3*dly*, Another Argument was used in the last Conversation, which we had not hitherto heard mentioned; it was, That the demanding of Places, for the better Security of a Peace, was a Thing would startle all *Europe* with its Novelty; and that it would derogate from the Glory of his Majesty, to introduce into the World a new Way of securing Treaties, which all Princes, not engaged in this Quarrel, must needs dislike; since it will be, when they are in a War, and not successful, their own Case: This was the only Thing new, excepting it be, that they were very earnest to have their Hopes and Desires (touching his Majesty's remitting his Demands of Places) represented with all Speed by us to our Master.

The Reflexion, My Lord, we have upon the whole Matter is, 1*st*, That we expect to be called upon to enter upon Treating the common and easiest Articles very suddenly. 2. That the Mediators do propose

to

to themselves, that the *Dutch* will make very liberal Concessions to all his Majesties Demands, excepting that of Places; which, as the Mediators have more than once intimated, they are obstinately resolved not to part with, either to the *French* in the Equivalent, or to us. 3. That it may be a Prejudice to the Success of this Service, if after the peremptory Declarations of the *Dutch*, that our Master is to expect no Compliance in Point of Places, we be prevailed upon to agree and conclude other Points of lesser Moment; since, on the one Hand, it may beget in the *Dutch* a Perswasion, that his Majesty may be at last wholly brought off from that Point; and that, on the other Hand, if proceeding thus in the Treaty, they should happen to close fully with his Majesty in every other Point, as we find by the Mediators 'tis not unlikely but they may, we fear it may be a Disadvantage to his Majesty, that the World should see this Treaty break off upon this single Point; especially considering of what Nature it is, and that it is pretended that Securities of another Kind, equivalent to this of Places, will be found out; which equivalent we cannot yet imagine, can be such as will answer the End, his Majesty proposes to himself in that Article.

We shall therefore go on and continue our Conversations and Debates, as the Mediators shall lead us, and even declare our Readiness, (as the Conjuncture shall happen to press) to go lower and lower with them, still keeping within the Bounds set us in each Demand.

But in our Proceeding, we shall suffer nothing to be committed to Writing; and we shall profess, even in the Time that we thus treat and negotiate, that all is to no Purpose, till we find a better Disposition in the *Dutch* to part with Places to his Majesty. Thus, My Lord, we intend to govern ourselves, till your Lordship shall please to signifie to us, his Majesties Pleasure in this Point.

We shall not, My Lord, forget, in due Time and Place, to take notice to the Mediators, that it is now 14 Days since they have been pleased to communicate our Demands to the *Dutch*, who then took Time to consult their Principals upon them: So that now we may justly expect their Answer, and consequently know what we are to trust to, as to the main Point of Satisfaction to his Majesty. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{?}{?}$th *July*, 1673.

My Lord,

SINCE our last, which was of the $\frac{27\ June}{7\ July}$, we have the Honour of your Lordship's of the 23d, *N. S.* to acknowledge.

On *Friday*, M. *Ehrensteen* acquainted us, That the Ambassadours of the States were much troubled with the Exceptions we had taken to the Preface of their *Plenipotentia*, and say, that if they would look so narrowly into the Powers of the *French* Ambassadors and Ours, there would not want Matter of Exception: But we could not observe that any Thing had fallen from them against Ours, but what M. *Ehrensteen* was satisfied would not bear a Debate.

M. *le Comte de Tott* being returned from the *French* Camp on *Friday*, we had notice to be at the *Carmes* on *Saturday* in the Afternoon, where we understood the Ambassadors of the States were in their Appartment. None hath yet appeared there for *Spain*; this Elector, or the

the Biſhop of *Munſter*. The Miniſters of the two laſt, as alſo of the Emperor, being not yet come to Town.

M. *le Comte de Tott* coming to our Appartment with M. *Ehrenſteen*, he began with giving us an Account of his going to the Camp; it was, 1. To give the Moſt Chriſtian King an Account of ſome Things that he had in Charge from the King of *Sweden* to acquaint him with, relating ſolely to the Crowns of *France* and *Sweden*; and, as he ſaid, to none other: He was not at all clear in that Affair, but paſſed it over, as willing not to open any View for us into it. M. *Tott* told us, he propoſed to the King two Things relating to this Treaty. 1. A preſent Ceſſation of Arms for ſome ſhort Time; and knowing there could be none without the King our Maſter's Concurrence, he deſired the King of *France* to mediate with his Majeſty to conſent to it. 2. A Moderation in his Demands from the *Hollanders*, and that he would accept of ſuch an alternative, as would be commodious for *Spain*, as well as the Low Countries. We underſtood partly by himſelf, partly by the Ambaſſadors of *France*, and partly by Sir *William Lockhart*'s Letter, that he preſſed the Ceſſation of Arms with great Earneſtneſs, alledging, as one of his principal Arguments, how much the general Commerce did ſuffer, and particularly that of *Sweden*, in the Ports of *Scotland* and *England*, by Reaſon of Privateers. Inſomuch that he ſaid that his Maſter muſt grant Letters of Reprizals, to his Subjects againſt the *Scots* and *Engliſh*, in Caſe their Commerce cannot be ſuddenly reſtored to its Freedom; firſt, by a Ceſſation, then a Peace. He urged this Ceſſation likewiſe, as the only Means to hinder the Breaking of the Clouds now gathering in the Empire into an univerſal War. The Anſwer which he received was (it ſeems) another Queſtion, whether this Propoſal of a Ceſſation came from the *Hollanders* or no? The *Comte* nothing able to ſay, that it came from them, was told, that if they made any ſuch Propoſal, the King our Maſter muſt be conſulted with, and his Concurrence muſt be had; The *Comte* inſiſting that at leaſt the moſt Chriſtian King would declare, it was to his own Liking, in Caſe the King of *England* ſhould be of the ſame Mind, as the King ſaid he did, in Point of the Place for the Treaty: He was anſwered; That the King did not by any Means think fit to go ſo far as that, but would firſt underſtand the King of *England*'s Mind, before he would declare himſelf in that Matter; that this is a Point of a more Important Nature than that of a Place of Treaty, and therefore he would not ſo far prejudge the King our Maſter's Mind in it, as to ſpeak his own firſt, concluding it would be a Motion exceeding unſeaſonable to our King, by Reaſon of the preſent Poſture of his Arms; as to the Matter of the *Swediſh* Commerce, the King of *France* would write to our Maſter, and doubted not to obtain all redreſs poſſible from his Majeſty's innate Love to Juſtice. As to the Matter of moderating of the *French* Demands, he was told, that the Plenipotentiaries of *France* in this Place were fully inſtructed, and that that whole Matter was referred to them.

The Diſcourſe of his Voyage being ended, he deſired us to aſſure ourſelves, that in the late Treaty between the King of *Sweden* and the *Dutch*, there was nothing at all paſſed which concerned this preſent War; it was only a Satisfaction which they propoſed to themſelves, to compaſs in this Town, by the Interpoſition of the two Kings; who having engaged themſelves in the Treaty laſt Year, to procure it to them, in Caſe the *Dutch* ſhould not otherwiſe do them Reaſon; but it happened, that the *Dutch*, when two of theſe Mediators

were

were at the *Hague*, chose to satisfie the *Swedes* in such Manner, (tho' it be not fully to their Minds) as they thought fit to accept of.

The Mediators having left us, the Ambassadors of *France*, partly at the *Carmes*, partly afterwards at their Lodging, gave us an Account of their King's Motion, saying, they had Orders so to do: They told us, that the King himself will camp upon the *Moselle*, that he may be in a Posture to reinforce M. *de Turenne*, against the Troops now gathering in the Empire; That M. *de Turenne*'s speedy Advance, together with the Countenance of the Dukes of *Bavaria* and *Hanover*, will be more likely to divert the Emperor, than a greater Force will be able to stop him, when he is set forward this Way.

That this will be of a better Influence upon the common Cause, than the besieging of *Breda*, or some other Town, can be; beside that the *French* Army is too much harrassed for another Siege; That there are 7000 Horse, and Four Battalions of Foot, sent to re-inforce the Prince of *Condee*, and that there was Order to get the best Appearance of Force together that could be made, in the Bottom of *Flanders*; which is all that can be done at the present, for the countenancing our Descent into *Zealand*.

The same Evening, *Comte de Tott*, in a second Conversation at the *Carmes*, having spoken with the *Dutch*, told us, with a more than ordinary Frankness and Gaiety, that they came not now to demand a *Truce*, but a *Peace*; that the *Dutch* Ambassadors had received an Express from the States, with a positive, decisive Answer, as he styled it, in relation to the main Matter of the Demands; which was, as he continued, that the *Dutch* did now revere the Arms of the Two Kings; that they saw it necessary to buy their Peace; and therefore he would learn the just Terms upon which they must purchase it; and, as he phras'd it, they would peremptorily know the *bout du Sac*: They did therefore press to know of us, whether we had any Thing in Reserve; and whether we would content our selves with those principal Demands, we had communicated to them, the Mediators. We told them, that, supposing our Allies to be satisfied, we had nothing else but what was common to all Treaties, and easily adjusted. They seemed then to complain of *France*, that tho' they had pressed them very much, yet they could not get them to speak out, what those other Points are, which they pretend to insist upon, after that of the Cession of Places is granted them; saying, they are afraid of other Articles, about (1.) The Bishop of *Munster*. (2.) Religion. (3.) A Sum of Money. (4.) An Annual Embassy. (5.) The Status of the Knights of *Maltha*.

My Lord, we had more to put into Cypher, which we must beg Leave to reserve till the next, the Departure of the Post forcing us to break off, with the Assurance of our being, &c.

We have here inclosed a Postscript of what hath occurr'd this Day at the *Carmes*.

Postscript.

1/11 July 1673.

My Lord,

We came now from the Conference (which is our fourth) at the *Carmes*, of which our next shall give your Lordship the Particulars more at large. The Sum was, that we left the Mediators going to make their utmost Effort on the *French* Ambassadors, that seeing they themselves will not be persuaded to speak out, what those further Points are, they

they will ask beyond the Ceſſion, and can be prevailed with to ſay no more, than that they are ſuch as will not be of Importance, or ſtop the Peace: That at leaſt they will allow them, the Mediators, to paſs an Aſſurance, as of themſelves, not from the *French*, to the *Dutch* Ambaſſadors, that *France* has no other *Principaux* Points to aſk, after that of the Ceſſion is granted; and this in order to the having M. *Beverning* (as the Mediators told us) go immediately to the *Hague*, for the States Reſolution upon the whole; and we, on our Part, did, at the Deſire of the Mediators, at the ſame Time repeat to them, that our Maſter hath not any *Principaux* Points (as they put the Words) to aſk, beſides thoſe in the 2*d* Article of our Inſtructions. With which they went away very well ſatisfy'd, ſaying, *l' affaire eſt nette quant a l' Angleterre.* We are, *&c.*

To the Earl of *Arlington.*

Cologn, $\frac{3}{13}$th *July*, 1673.

My Lord,

We were forced to break off our laſt of the $\frac{1}{11}$ *July* by the extraordinary, the Poſt being upon parting, only we inſerted in a Poſtſcript, the Sum of the Conference of that Day at the *Carmes*.

On *Wedneſday* the Mediators acquainted us with a great Difficulty they were in, deſiring us to help them out of it; it was, that the *French*, on the one Side, would neither themſelves declare, nor ſuffer the Mediators to tell the *Dutch*, what Point of Importance, beſides the Ceſſion of ſeveral Places, they intended to inſiſt upon; That the *Dutch*, on the other Side, were peremptory to know the utmoſt of their Demands; ſaying, "They had Orders to make a Peace, if they ſhould find the "Terms ſupportable; if otherwiſe, they would declare to continue the "War." This the Mediators thought reaſonable, and did reſolve to preſs the *French*, that they, the Mediators, might be permitted of themſelves, to give the *Dutch* Aſſurance, that there were no other *Principaux* Points, that would hazard the breaking of the Treaty, in caſe the Ceſſion were to their Mind. This they deſired us to ſecond them in with the *French*; but we took the Liberty to excuſe our ſelves very roundly, ſaying, We are bound to ſtand by and ſupport the *French* in their Demands to our utmoſt, without entring into the Merits of their Demands, or the Method of their Proceedings; the Satisfaction of the Moſt Chriſtian King being as fundamental in our Maſter's Intentions, as that of his own Demands. This we did, in regard the *French* had refuſed to interpoſe in our Demands of Places, which the Mediators deſired them to do, in order to bring us to accept of another kind of Security equivalent. The Ambaſſadors of *France* having anſwer'd them, it was their Buſineſs to ſtand by us, whatever our Demands were, till our Maſter was ſatisfied. They did not ſeem to be diſſatisfied with this Excuſe, but leaving us to our Liberty, deſired to know of us, whether we had any *Principaux* Points, (that was ſtill the Word) beſide thoſe that we had already intruſted to them; and whether we would empower them, as Mediators, and as of themſelves, to aſſure the *Dutch*, we had no Reſerve: When we told them, we had no *Principaux* Points, but thoſe they had been told of; that our other Points were ſuch as were common to every Treaty after a War; and that we

were

were content they ſhould aſſure the *Dutch* of it, as from themſelves: they were very well ſatisfied.

THEY were pleaſed to tell us *en Confiance*, that a *Brouillerie* had happen'd a Day or two ago between them and the *Dutch*, but now they are Friends again. The Mediators it ſeems had, ſome 8 or 10 Days before, with ſome Freedom, remonſtrated unto the *Dutch*, that their Hopes from the March of the Emperor, and from a Rupture by *Spain*, were not ſo well founded; for, beſides that the Effects of thoſe new Meaſures would come on but ſlowly; they (the *Swedes*) had an Army, which would oppoſe the Emperor's March, in caſe the *Dutch* ſhould refuſe to come to a Peace upon reaſonable Conditions: The Ambaſſadors of the States, it ſeems, gave an Account of this Converſation to their Maſters, which occaſioned a formal Complaint of the Mediators, in a Letter which the States writ to their Ambaſſadors; as if the Mediators had departed much from their Office, and even from that of Neuters, in that they uſed ſuch threatning Inſinuations: The Mediators finding themſelves obliged, a Day or two ago, to uſe the ſame Reaſonings with the *Dutch*, in order to take them off from their Confidences in their new Alliance; the *Dutch* Ambaſſadors could not give them a better Anſwer, than to produce and ſhew them the very Letter, which the States had written upon that Subject; which Letter, the Mediators told us, was fuller of Reſentment, and not without a Mixture of Rudeneſs, than they had Reaſon to expect; but that, they tell us, is now well over. Before we left the *Carmes*, we communicated with the *French*, the Earneſtneſs wherewith the Mediators had preſſed us, to give them Leave, as of themſelves, to aſſure the *Dutch*, that we had no Reſerve; and that we ſtood to the ſame *Principaux* Points, that we had firſt imparted to them; telling them, we had no Difficulty to repeat to the Mediators, that Aſſurance which they deſired to have from us, and which we had formerly given them, with their Advice and Approbation: *viz.* that we had no other Demands that would endanger the Peace, ſuppoſing our Allies ſatisfied as well as we. The Ambaſſadors of *France* did not impart unto us what had paſs'd between them and the Mediators, upon the Matter or Nature of their principal Points; only they told us, that they would have likewiſe ſome Points of leſſer Moment, ſuch as would be the Re-eſtabliſhment of ſuch *French*, as had been turned out of *Holland*, and the Regulation of their Trade, to be provided for by an Article for a ſubſequent Treaty to that Effect; they told us indeed of the *Brouillerie*, and the Letter abovementioned, and of the quick Return of the Emperor's Currier from *Bruſſels*, which, as M. *de Chaulnes* told us, By-ſtanders did look upon, as if ſome Parole had been there given to break.

The Day before this Conference, they had taken Notice to us, of a Deſign the Mediators had to frame a Project of their own, whereby they, the Mediators, might repreſent to the *Dutch*, the principal Demands of both the Kings. Their Obſervation upon it was, that the Mediators muſt be left to their own Forms and Method, without any Oppoſition from the Parties; but they would not allow of any Project, that ſhould alter or limit the principal Demands, which they had already in Conference truſted to the Mediators; they having not hitherto taken any Occaſion, to entertain us upon the main Point of the Ceſſion of Places, (as we had already heretofore obſerved to your Lordſhip) otherwiſe than in telling us, the Places were the ſame, as we had ſeen tranſmitted to M. *Colbert*, to be communicated to our Maſter.

BUT

But upon yeſterday's Conference, the Mediators gave us ſome View into thoſe further Points, which the *French* intend to inſiſt upon, beyond that of the Ceſſion; for the Subſtance of yeſterday's Conference, was to communicate unto us, the *Brouillon* of a Letter the Mediators intended to write to the *Dutch* Ambaſſadors, upon the Subject of our Demands, which gave them the Occaſion to ſhew us the like upon the Demands of the *French*: The Letter was, That whereas they, the *Dutch* Ambaſſadors, did deſire to know thoſe Points upon which the *Engliſh* Ambaſſadors were likely to inſiſt; the Mediators ſaid, they believed, "*Nos*" *croyons*, (that was the Word) the *Engliſh* will inſiſt, 1. Upon the Pa-" villon. 2. Prince d' Orange. 3. Surinam. 4. Recognition de la Peſche. " 5. Reglement du Commerce de Indes & de la Guinee. 6. Dedommage-" ment de frais de la Guerre par un ſomme d'Argent. 7. Des Places.

Thus ſhort were the Heads ſet down, and in theſe very Words, as near as we can recollect them: The Letter cloſing in a very few Words, that aſſured the *Dutch* of a good Iſſue, and the Repoſe of *Chriſtendom*, if Satisfaction were given to our Maſter on theſe Points.

The *Brouillon*, relating to the *French* Demands, had the very ſame Preface, the Enumeration was: —— " Outre ce ſur quoy nous vous " avons dejâ entretenu. 1. La Religion de Malthe. 2. La liberte de " Commerce general. 3. Le Dedommagement des frais de la Guerre. " 4. Il ya un autre point dont nous, n' avons pas voulu vous parler, " mais nous Croyons que Meſſieurs les Ambaſſadors de France vous en " Parlerons, c'eſt Celui de la Religion Catholique Romaine.

The laſt Article was hinted at in our firſt Converſation with the Biſhop of *Strasburgh*, as we have had the Honour to obſerve unto your Lordſhip, otherwiſe we never heard any mention made of it, nor of that of the Expences of the War, before this Conference; nor can we offer any reaſonable Gueſs, why the Article of Places (which we conceive to be touch'd in the Words *ce ſur quoy nous avons dejâ entretenu*) ſhould be ſo worded, only M. *C. Tott*, after ſome Parentheſis between him and M. *Ehrenſteen* in their own Language, read it to us, in thoſe very Words out of the *Brouillon*.

The Mediators told us, theſe were the principal Points of the *French* Demands; they might have ſome Matters of Recommendation beſides, but nothing more of that Importance, as ſhould put a Stop to the Peace: They told us alſo, they feared the Emperor would move in the Buſineſs of *Lorain* in this Treaty: But that he ſhould be anſwered, that this is not the proper Time and Place for that Debate; ſo likewiſe for the Debt of *Denmark*, and ſome Pretenſions of the Duke of *Newburgh*, the Count of *Embden*, and others, which may be very juſt, but not ſeaſonable, leaſt the Treaty be protracted into a length; the Mediators being reſolved to take thoſe Recommendations only into Conſideration, which were either an Ingredient to the War, or elſe ſuch as will cauſe the continuing of the War, unleſs they be adjuſted.

They were pleaſed to acquaint us likewiſe, they were much embarraſſed upon the mention of the Article of Religion; they having no manner of Inſtruction, as they ſaid, to guide in that Point; and therefore they ſaid, they durſt not ſo much as name it in their Letter, but in the very Words abovewritten. They farther told us, that Meſſieurs *Beverning* and *Van Haren*, were to go away for *Holland* with all Speed, as indeed they did, having gone hence laſt Night; That they were to have a Paſs from the *French* Ambaſſadors, in order to their paſſing on the River Day and Night, without being obliged to land or ſtop in any of the *French* Conqueſts. The Mediators do promiſe themſelves a good Iſſue,

Issue, relying much upon the Prudence and Credit of M. *Beverning*, who, they say, they find every Day more and more earnest for a Peace, and they expect their Return hither will be very speedy.

Upon this last Step, and the going of the Ambassadors to the *Hague*, which, the Mediators seem to think, is a very great and hopeful one towards the Peace; we foresee it may so happen, that we shall be earlier called upon, than we had expected, to explain our selves, as to the Manner and Way in which our Master demands to have the Places remain in his Hands; and this being not particularly expressed in our Instructions, we humbly beseech his Majesty will please to consider of it, and signify his Pleasure to us by the first, that so the Negociation may not stop at that Point, nor we be left on our own Heads to settle a Circumstance of so great moment to that Article; and by Consequence, to the whole Treaty: Hitherto we have not otherwise opened our selves, than by saying, our Master did demand all those Places; When we shall be pressed particularly to express, in what Way our Master understands to have them, we shall first attempt to have them in full Sovereignty for ever; if that cannot be obtained, as we scarce hope it will, we shall next insist, to have them *as in Sovereignty* for a certain Number of Years; (which, upon the Foot of the Instalment of the Remainder of the Million, payable towards the Expence of the War, will be 16 Years) by *Sovereignty* here, we mean the absolute Power of ordering all the Inhabitants, as to Arms and Justice, a Power of levying all Droicts, and laying on Impositions, *&c.* exclusively of the States. If the Sovereignty cannot be attained, our next Gradation must be, leaving the Justice of the Place to the States, that his Majesty have Power to place and maintain Garrisons of what Force soever, *&c.* to alter or add to the Fortifications, as he shall find Cause, without Regard to the present Scheme, or to private Property, *&c.* And this either for ever, or at least for a certain Number of Years; together with a sufficient Provision for the Entertainment of the Garrisons, and all Sorts of Incidents, *&c.* Now in this last Way of having Places, to wit, of having Garrisons in them, either for ever, or for Term of Years, there are many Circumstances to be fixed and settled, on which the very Effect of the Article, in great measure, will depend: For Instance; *First*, how, and in what Way his Majesty's Pleasure is, that this Provision or Revenue for that Entertainment of the Garrisons, *&c.* shall be now settled; if from the Revenue of the Towns and their Dependencies, as the same is now settled, and received by the States; and then the doubt is, whether this, as now it is, will be a sufficient Maintenance; and if not, whence we are to provide that Supply be had. And yet a further Difficulty will occur, we see through all this Part of the Article, that is, being in the Power of his Majesty to make that Garrison, from Time to Time, of what Force he pleases, how any Provision can be ascertained as sufficient. Next a Doubt will be, how far each Garrison shall reach, what be the Bounds of it, so as the States not to be permitted to erect any Forts, or even to bring any Forces within it. These, and several other Difficulties that may occur to his Majesty in the Debate of this Matter, we most humbly pray an express Signification of his Pleasure in, by way of Instructions; as being the great and weighty Part of our whole Negociation, and in which we shall therefore need your Lordship's more particular Favour, to obtain for us clear and distinct Directions, as to every Point and Circumstance that can be foreseen by your Lordship's Care, fit to be provided for; which, by the Blessing of God, we shall apply our selves to follow, with the best Care and Circumspection we are capable. We are, *&c.*

 To

To the Earl of *Arlington.*

Cologn $\frac{4}{14}$th *July*, 1673.

My Lord,

TO our long Diſpatch of this Day, which the Secretary is now putting into *Cypher*; we crave Leave to add a Word or two: M. *Ehrenſteen* deſir'd us to write to your Lordſhip with all Earneſtneſs, for the Relaxation of ſuch of the *Swediſh* Merchants, as are now detained in his Majeſty's Ports. It is, as he ſays, to their utter Ruine, and a Thing which their Government does take the more to Heart, in that the good Offices their King has done always to *England*, eſpecially in the laſt *Dutch* War, are worth the taking Notice of; and the anſwering (thoſe were the Words) by ſuch Returns, as the Execution of the Treaty between the Two Crowns requires: He deſired us likewiſe, to write earneſtly in Favour of a Ceſſation of Arms; it being a Thing which the Mediators have ſtill in View; as hoping that if they cannot procure a ſuddain Peace, which they are now attempting to bring about; they hope to effect it, when a Ceſſation is granted. M. *Beverning* and *Van Haren* are gone for the *Hague* this Morning, and M. *de Lyra* accompanies them thither. The C. *Koningſeck* is in his Way from *Vienna* to this City. M. *le Baron de l' Iſola* is every Day expected in a Houſe within a League of this Place. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{8}{18}$th *July*, 1673.

My Lord,

OUR laſt to your Lordſhip was of the $\frac{4}{14}$*th* by the Ordinary, we muſt beg Leave, My Lord, to repeat that humble Petition, wherewith we cloſed our laſt to your Lordſhip, which was, for a ſpeedy Signification of his Majeſty's Pleaſure, upon all Circumſtances relating to the Title and the Terms, upon which his Majeſty expects the Places, we are to inſiſt on, to be put into his Poſſeſſion; for if the *Dutch* do deſire a Peace in good earneſt, and if Meſſieurs *Beverning* and *Van Haren* (who went with all Speed to the *Hague* on *Friday* morning laſt) do return with full Powers, and the final Reſolutions of their Principals, in all likelihood we ſhall be preſſed to come to our loweſt Demands about Places, as ſoon as they come, ſince the Fate of the reſt will depend upon that Article.

We do likewiſe foreſee, we ſhall want ſome further Light upon the Article about Fiſhing, for our Project ſeems to lead us, to inſiſt that the *Dutch* ſhould ſue out Licences; this the *French* have always done for the Liberty they have about *Diepe*. The Project adds, they ſhould not Fiſh within a League of our Shore; which Clauſe may be better couched in the Form of the Licenſe, than in the Body of the Article. However, we humbly deſire to know, whether the Form of the Licenſe muſt be agreed on in this Place; and what Time of the Year (for we ſuppoſe it muſt be a yearly Licenſe) it ſhall be ſued out; as alſo what certain Days ſhall be ſet for the Payment to be made into the Exchequer of both Kingdoms.

We

We have in our last given Notice to your Lordship, that *Don Emanuel de Lyra*, hath accompanyed the *Dutch* Ambassadors to the *Hague*, which we cannot but look upon as an ill Omen to the Peace. Nor have we (My Lord) as we hope, omitted any Matter of Fact or Conversation, or any Subject of Discourse or Observation, that we have not transmitted to your Lordship as it occurred to us, since our Coming to this Place; and we would be very glad to be able, with Grounds of Safety, to offer your Lordship some Judgment or Inference from what we observe from Time to Time, as to the Success of our Negotiation in all Points; but we have found such different Appearances of Things, that we are extreamly tender, how we ourselves take up any Belief or Opinion of the final Issue of this Meeting; much less dare we lay any of these Things before your Lordship, as proper Measures whereby to make a Judgment thereof, what is to be hoped, or expected from this Treaty.

For Example; The Mediators, both in our two last Conferences at the *Carmes*, and on *Sunday* Night in Conversation, seem to hope well of the Peace; and tho' they have still told us, the Point of Places was the hardest, nay, upon the Matter, the only hard Thing in our Demands; yet they have never given us Cause to expect that our Master will be refused all Degrees of Satisfaction in this Point: They desired from us a new Declaration, that our Master had no other principal Points; in Order, as we conceive, to give the *Dutch* Ambassadors the utmost Estimate of what a Peace would cost them.

They told us still, they relied very much upon M. *Beverning*'s great Prudence and Interest, but more upon the Earnestness they found him in, to make a Peace; looking upon it with the more Gaiety in their Carriage, in that they could not but confess they had a clear Prospect into all the principal Points his Majesty would insist on: Yet the Bishop of *Strasburgh*, coming fresh from his first Conversation with the Mediators, after his long Absence at the *French* Camp and at *Liege*, let fall, in a Visit he gave us, several Things, that we know not how to reconcile to the abovementioned Carriage of the Mediators; as, *First*, The *Hollanders*, and the Mediators too, for it seems, by the Complexion of the Mediation, as well as that of our adverse Party, thought their Business would be soon done, if they could but satisfie *France* with some Towns, *&c.* 2. That they would leave Us, *Cologn*, and *Munster*, to be content or not, as we see Cause; and we observed, he delivered this as expresly said to him by the Mediators. 3. That for the Demand of Places which our Master made, the *Dutch* neither would, nor could grant it. 4. We perceived plainly, by what the Bishop said, being compared with what fell from M. *D' Odyike* in Conversation about the same Time, that the *Dutch* had given the Mediators a Notion into their Heads, of delivering up to our Master the Island of *Surinam*; the Bishop having remark'd it as a Thing the Mediators thought might be an Equivalent to the Places we demanded; and M. *D' Odyike* having discoursed seriously of it, as of a very fair Expedient; tho' he was told plainly enough, his Majesty knew too well the Value of that Place, and would not much envy the Enjoyment of it to the *Hollanders*, when his Subjects were out of it, as they ought to be, by the Treaty of *Breda*; for his Majesty would think it, his Subjects being come off, scarce worth the holding. That therefore it was in vain for the *Dutch* to think of satisfying the King's Mind, by any Expedient, or any Thing less than Places, not in *America*, but in their *Netherlands*.

We could not but take special Notice of the present Sence of the Mediators, upon our great Demand, as they did it to the Bishop, considering how much it differs from what we judged their Minds to be, in the two last Conferences.

The Bishop went on, saying, that the Demands of *Cologn* would be very reasonable, and would consist but of three Points: 1. Satisfaction for Losses and Wrongs. 2. Reimbursement of the Charges of the War. 3. Security, (tho' not of Places) that the *Dutch* will not make War upon them again: It would be hard, he said, if *France* would not stand by *Cologn* in these Points, and procure it Satisfaction, which yet it did omit to do in the last Treaty with *Holland*, tho' *Cologn* called upon *France* to do it at the proper Time; and tho' *France* was oblig'd to do it, in Virtue of the League of the *Rhine*; nor did the Bishop then enlarge upon this Subject, without intimating himself to be really apprehensive, as if by the Scheme and Design of the Peace, the Interest of *Cologn* and *Munster* may be passed by, and made light of; and that absolutely the Satisfaction of our Master, as far as it shall depend upon the Article of Places, will be refused; and as he did bespeak our Master's Aids and Supports in the Pretensions of *Cologn*, so he seemed in a manner to fly to, and lay hold of it, as that of an Ally, left in the same Case with his Friends in the present Project of Affairs. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{2}{19}$th *July*, 1673.

My Lord,

Our last was yesterday by the Ordinary, with the Duplicates of the foregoing; we have now the Honour of your Lordship's Letter of the 26th of *June*, which came to our Hands from Sir *William Lockhart*, as also the Duplicate of it by the Ordinary.

We cannot but conceive the Answering of your Lordship's Letter, to be a sufficient Matter for an Express, considering the Consequences it will have for our better Instruction upon the Return.

As to his Majesty's first Conclusion, which your Lordship gives us, of rejecting the Proposition touching a Cessation, we have upon all Occasions declar'd to the Mediators, how improbable and inconvenient we thought it, that his Majesty should hearken to a Cessation, the Posture of his Arms at present considered. However, we could not refuse the Charge, which the Mediators gave us on *Monday* last, of Conveying their King's Letter, (which they brought us, and is here inclosed) for our Master; the like Letter being committed to the *French* Ambassadors, for theirs; nor could we refuse a Hearing to M. *de le Comte de Tott's* Arguments for a Cessation, which he raised; 1. From the Danger that *Poland* was in, of being partly over-run by the *Turk*, partly torn in Pieces by its Neighbours. 2. From the great Fire ready to kindle in the Empire, which will put every Corner of *Europe* into a Flame. 3. From the general Decay of Commerce, especially theirs in *Sweden*, because of our Captures on their Ships; this was enlarged upon with his usual Vehemency; but we thought it sufficient for us to answer, that we had no Power to enter into such Consideration or Debate; and when the Mediators shall happen to offer any Discourse upon this Subject, we shall, with his Majesty's Favour, presume to refer them to our Master himself; (as we find the *French* do, when they are pressed with this Matter, refer

fer them to theirs) withal declaring at the same Time, that we have understood expresly, his Majesty is not in any Disposition to grant the Cessation, for the same Reasons for that the two Kings have formerly refused it.

As to his Majesty's second Conclusion, containing his Command, that we should never suffer our Demand of Places to be postponed, but insist upon it as fundamental to the rest of the Articles; we have all along, with all the Vigour and Exactness we have been able, kept ourselves to that Ground; and tho' we have thought it for his Majesty's Justification and Service, to intimate unto the Mediators, that this Point might meet with some Temper, as to Terms and Circumstances; and that we would deliver it in to them, so soon as the *Dutch* Ambassadors should declare they had Power to part with Places for his Majesty's Satisfaction; yet we have continued all along to tell them, that until they (the Mediators) could assure us, the *Dutch* were in a Disposition to gratifie his Majesty, and to give him some Places, we could not treat with them; nay, that we must absolutely refuse to treat upon any other Point; and upon this Ground we stand towards them at this present, and considering the Expresness of his Majesty's Pleasure in your Lordship's last, we shall so continue.

As to his Majesty's third Conclusion, wherein we are commanded to press the Ambassadors of *France*, that they would resolve to give in their Demands joyntly with ours in Writing, it has happen'd, that between the Time of his Majesty's making the Conclusion, and of our receiving it, the Mediators (as your Lordship will have seen by ours of the $\frac{-}{4}$th) have formerly by their Letters to the *Dutch* Ambassadors, the *Brouillon* of which they had communicated to the *French* Ambassadors and us, signified the *Principaux* Points, as they styled them, of the *French* Demands and our Master's; so that we presume humbly to think that our Master's Mind is already comply'd with in the main as to this Point: The *Dutch* being now possessed of the final Demands of the two Kings in Writing, and by that Means the Odium of having the Peace stick at the *French* refusing to say what would content them avoided.

As to his Majesty's Command, which is the last Thing in your Lordship's Letter, that we should lay before him all the Remarks that may have occurred to us, of those Alterations which the taking of *Maestricht* may have wrought in the *French*, either as to their Averseness or Propensions to a Peace, we have this humbly to offer: *First*, That we have not failed to give your Lordship, from Time to Time, the best and most minute Account that we could, of all Occurrences that had any manner of Respect to our Negociation; tho' we have not dared to frame any Judgment or result of them; and now upon his Majesties Command, My Lord, we shall presume humbly to think, that we may safely say thus much of the Ambassadors of *France*; it is, that we never yet met with any Thing in the Communication enjoyn'd, or in the Conversation we have had with them, to believe they have any Hast or Concern to bring this Treaty to quick Issue; which, for any Thing we know, was not thought to be their Temper and Complexion, when we came out of *England*. They (the Ambassadors) told us indeed, soon after that *Maestricht* was taken, they had Orders to give us an Account of their King's March, and of the Reasons that lead him to it, whereof we have already given your Lordship an Account; but as they did before the taking of that Town, tell us the *Dutch* would be brought to Reason and a Peace, when *Maestricht* was reduced; so now they tell us the same Thing of a good Account of the *Dutch* and their Compliance, when it shall

shall appear to the World, that the Emperor is check'd by their Forces and Alliances, so as not to dare to march in Aid of the *Dutch.* This they do now hope to have a good Account of, since they have Intelligence (as they tell us) that those Spirits that were for the giving of Passage and Quartering to the Emperor, while the *French* were engaged before *Maestricht*, do now demurr, and make a Difficulty of doing it, both at *Ratisbone*, and in the Assemblies of the Circles at Home.

My Lord, The Contemplations that those Measures and Resolutions which the *Dutch* shall take upon this Journey of their Ambassadors, will go a great Way in the Issue of this Treaty, make us extreamly sollicitous to be instructed in every Thing of his Majesty's Pleasure; when upon their Return the Mediators shall engage us to enter further into Matters.

If upon the Return of the Ambassadors from the *Hague*, their Orders and Powers be favourable to our Demands of Places, we shall naturally, upon the Debate, be lead to come lower and lower, as to the Number of the Places, and the Terms upon which his Majesty is to be possessed of them, governing ourselves as the Thing shall happen to press us. But if the Resolution be peremptorily in the Negative, and that they talk only of Parting with *Surinam*, or having the Prince of *Orange* tyed by some Oath, or having the strictest Guarrantee from Neighbours, as can be invented, which the Mediators have by the by talked of, as their Wishes, not their Proposals; we humbly desire to have his Majesty's Pleasure, whether, in Order to the Evidencing of his Majesty's sincere Desires of a Peace, and leaving the Wrong, yet more notoriously of their Side, we shall not then open ourselves, and speak out plainly, how low our Master will be willing to descend in the Matter of Places: And not only name the two Places in the last Branch of the Alternative, in the second Article of our Instructions; but also add, that his Majesty will be content to have Garrisons in them only for a Term of Years: This is it, wherein we humbly desire to have his Majesties express Pleasure, by Way of Instructions, if your Lordship so think fit; and considering our Instructions in Writing do not expresly say, to what Degree his Majesty will have us to insist upon this Point of Places; and that we are of Opinion, as far as we can make any Judgment from the Mediators, M. *d' Odyike*, and other private Conversations, the *Dutch* are not unwilling to comply with his Majesty in all other principal Points. We (that we may be sure in this most important Point to govern ourselves precisely according to his Majesty's Pleasure) do most humbly beg his Majesty's Orders, whether we shall absolutely and finally insist upon Places to be given, or else hearken to such Notion of Equivalent, or Expedient, as shall be offer'd us in this great Point.

One Thing more we take leave to add, that as, on the one Hand, we presume his Majesty's Pleasure in that Article of his last Commands, (that we should call upon the *French* Ambassadors, to joyn with us in giving in our Demands in Writing) is already in the main comply'd with; that we shall do no more in it, till we understand his Majesty's further Pleasure: So, on the other hand, because it may happen, upon the Return of the *Dutch* Answers, by the Ambassadors now at the *Hague*, that the *French* may continue in that indifferent and cold Temper, they (as we have told your Lordship) have appeared all along off, towards the Hastening of the Peace, we do presume, from his Majesty's last Commands to us, when the Negotiation seemed to stick at their refusing to declare the Particulars of their Demands, that by a Parity of Reason, wherever we find the Matter resting upon them, our Part will be, to call upon them and press

prefs them to give it Eafe, and to concur with us to advance and forward the Bufinefs of the Treaty all that is poffible.

We have on feveral Occafions obferved to your Lordfhip, the very open and frank Way, with which the *French* Ambaffadors have dealt with us, in every Part of our Bufinefs and Converfation; and fo indeed they continue to do, as far as we can judge, with great Heartinefs; only we fhall take Notice, that they continue extream fhy, and feem induftrioufly to decline, as well to receive us into the Knowledge of their Demands, otherwife than by intimating, as if they were the fame that had been fent to Monfieur *Colbert* in *England*, as to receive any Information or Difcourfe from us, of the Nature and Merits of their Demands; and even as often as we have offered the Difcourfe to them, they have vifibly enough put off, and avoided it; which we do not know how to apply, or make any Inference upon; but think it our Duty to repeat, as a Matter that may be of Importance. We are, &c.

To the Earl of *Arlington.*

Cologn 7th July 1673

My Lord,

As we are clofing our Difpatch by this Exprefs, your Lordfhip's of the 4*th* of *July*, by Mr. *Ellis*, comes to hand, which we acknowledge with all humble Thanks. That which it brings us of the Expoftulations and Threats of *Comte Tott* in the *French* Camp, upon the Subject of his Majefty's Demands, is perfectly new to us: The *Comte* having neither before his going hence, nor fince his Return, intimated to us, that he had taken any fuch Liberty, in fpeaking of our Mafter's Affairs. The *French* Ambaffadors likewife, not giving any other Account of what related to our Mafter in his Negociation, but that he had complained of the Difturbance we gave the *Swedes* in their Commerce, upon which Subject of doing them Juftice, the King of *France* undertook to write to our Mafter. But his taking Exceptions againft his Majefty's other Demands, as well as that of Places, is fo much the more furprizing to us, in that he and his Collegues feemed to be convinced all along, that there is not indeed any Hardnefs or Unreafonablenefs in any of the other Demands.

As to the Sufpenfion, which we underftood by your Lordfhip's of the 26*th* of *June*, his Majefty had concluded to reject; confidering that the Words in your Lordfhip's Letter did not bear an exprefs Direction to us, formally to make that Declaration here, as a final Anfwer on his Majefty's Part to that Propofition; we had chofen (as we prefume to tell your Lordfhip in our large Difpatch this Day) to give the Mediators an Intimation only, that their Propofition would be (as we had underftood) certainly rejected: But to leave the Declaration of it to fuch a final Anfwer, as his Majefty fhould think fit to give upon the Overture: Yet now finding our felves commiffion'd, by your Lordfhip's laft, to declare our not confenting, and abfolutely to refufe the Propofition, we fhall not fail forthwith, after Communication firft given of it to the *French* Ambaffadors, to reject the Ceffation, and to put a Stop to all further Overtures about it, as plainly and exprefly as we can find Words to do it.

As to our infifting upon Places, (the 3*d* Thing in your Lordfhip's laft) we hope your Lordfhip will find nothing in our Difpatch at large by this Exprefs,

Expreſs, that will give you Cauſe to think, that we are like to govern our ſelves otherwiſe, than is agreeable to our Inſtructions, confirmed to us by your Lordſhip's Letter of the *26th* of *June*, and the *4th* of *July*; for we ſhould not have enlarg'd our ſelves (as we do in our laſt Diſpatches) into Queries upon Caſes that may happen, but that we deſire to be fully inſtructed in the moſt minute Circumſtances, in Caſe the *Dutch* ſhould preſs us, and our Anſwers ſhould be required, in a narrower Compaſs of Time, than we ſhall be able to ſend into *England*, and receive your Lordſhip's Anſwer.

Lastly, To our preſſing the *French* Ambaſſadors to joyn with us in giving in their Demands, we have given your Lordſhip an Account of what hath paſſed in that Buſineſs, and what Reſolutions we are come to under his Majeſty's gracious Favour, in the interim, till we may receive his farther Pleaſure: We have given your Lordſhip there an Account of the Reaſons that lead us into them, and humbly pray your Lordſhip's Protection, that they may have a favourable Conſtruction with his Majeſty. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{15}{25}$ *July* 1673.

My Lord,

OUR laſt were of the $\frac{9}{19}$ and $\frac{10}{20}$ by an Expreſs, the Duplicates whereof are here incloſed; and in them our particular Acknowledgments of thoſe of your Lordſhip's of the *26th* of *June*, and *4th* of *July*.

We are here not without Impatience, in Expectation of the Return of Meſſieurs *Beverning* and *Van Haren* from the *Hague*, which, we are told, may be in the latter End of this Week; in this interim here occurs nothing that is worth your Lordſhip's Notice, unleſs it be what falls now and then in ordinary Converſation. Two Days ago, Prince *William* of *Fuſtembergh* (whom your Lordſhip knows to be intimate in all the *French* Councils and Buſineſs in this Part of the World) falling upon the Diſcourſe of this Treaty, and the Conditions that were inſiſted on by every Party, was in the ſame Note with his Brother the Biſhop of *Straſburgh*, that the leſſer Allies, *Cologn*, *Munſter*, &c. ought not to be ſatisfied in the cloſe; but we could not gather by him there was any ſuch Danger, as we at firſt apprehended from the Biſhop's Converſation, of leaving our Maſter too in the lurch: So as we hope there is not Cauſe to put ſo great a Streſs upon that Reflexion of ours which comes to your Lordſhip, by way of Account of the Biſhop's Judgment of our Affairs.

Prince *William* let fall one Thing that is perfectly new to us, for he ſeemed to have been informed, there were Thoughts of contenting our Maſter, as to his Demand of Places, by giving him *Sluys*, and (as he at laſt added) the Town of *Groningen*. What is the Bottom of this, or what Ground there is for it, whom it comes from, whether from *Holland* or from the Mediators, and how far *France* is privy to or active in any ſuch Model, we cannot find out; but he was anſwered, that *Sluys* and *Groningen* were not (for many Reaſons) ſuch Places as would anſwer our Maſter's Aim; which was indeed, not to enlarge or add to his own Territories, and to leſſen thoſe of the States; the ſingle Thing that he propoſes to himſelf, being to have ſuch Places in his Hands, the holding whereof well garriſoned, may effectually diſpoſe the *Dutch* to obſerve

observe their Treaties, and to leave the King's Subjects quiet and free in their Commerce, and the rest of *Europe* in Repose.

THIS Prince told more plainly what the Bishop did but intimate, that our Friends did fear, and our Enemies did hope, there would be a considerable Change in our Publick Councils, from what has happened of late at Court: He did not stick to find Fault with the Mediators, for pressing the Cessation so much, it being a Thing so unequal in its Advantages to one Side above the other, that the urging of it was scarce to be reconciled with that Indifferency which they ought to hold towards both Parties; especially considering, that they, in their former Mediation, (and others too) have been more successful in making Peace without Truces, than with them. He added, that it had been well the Mediation of some of the Princes of the Empire had been accepted of, and they joyn'd with *Sweden* in the Work; for, said he, those Princes would not have judg'd it so hard and unreasonable, as the *Swedes* do, that our Master should have Places put into his Hands.

THE Prince professed his Hope, that our Master will stand to this Elector, and see him satisfied in the Peace; assuring us, that this Elector, and this State, will stand firm to our King, even tho' the Electorate should, by this Prince's Death, change its Master. We are, *&c.*

To the Earl of *Arlington*.

Cologn [illegible]th July, 1673.

MY LORD,

OUR last was of the [illegible]*th* by the Ordinary, the Duplicate whereof is here inclosed.

IMMEDIATELY after we made up that Dispatch, the *Danish* Secretary which arrived here about Ten Days ago, having demanded Audience of us, did, in his Master's Name, desire, that the King of *Denmark*'s Pretensions against *Holland* (stated in an arbitral Sentence given by the most Christian King between both those Parties) might receive Countenance and Support from our Master's Authority, when it should come to be debated in this Place: The *Dutch* it seems not acquiescing in that Sentence, being given, as they alledge, at a Time that *France* was ready to break with them. He had likewise in Command, as he said, to tell us, that whatever the *Dutch* Gazetts do represent of the late Treaty between his Master and the States, yet in Truth it was but a Treaty of mutual Security to the Ports, and to the Commerce of both Parties: In this Discourse, he read two Clauses out of a Script of Paper, which he brought with him, whereby his Master was made to stipulate with the *Dutch*, "That he shall not be understood to engage "himself in the least in this War; nor the Treaty be interpreted to "extend to the Prejudice of the Two Kings." — He was large upon this Subject, telling us, that as it was lawful for his Master to make Use of all Conjunctures for the Benefit of his Subjects, so his Proceedings were the least to be excepted against, in that the *Swedes*, after their being declared Mediators, had made a Treaty with the States in *April* last, without Offence taken at it; and that his Master had been passed by, not without some Neglect, (as he said it might well be expressed) without any Communication given him by the Two Crowns, of their entring into this War. He alledged it as an Argument, why it should not be thought of any Advantage to the *Hollanders*, that the

Dutch who concluded it at *Copenhagen*, " had refused to sign but with
" this Clause *sous l' approbation de Messieurs les Estates*; nor had the
" States yet ratified it; and it was his private Opinion, it never would
" be ratified by them.

The same Day M. *Courtin* told us that their general Advices from *Holland* bear, that the Ambassadors will not have any Resolutions favourable to the Peace, to bring back with them to this Place: The *Spaniards* holding them still in Hope of dividing the two Kings. That *Salinas* was gone into *England* upon that Design, and that the Prince of *Orange* had a considerable Sum of the Debt due unto him, now paid him, in Order to keep himself to the *Spanish* Councils.

The same Day M. *le Comte de Tott* told us, that their Minister (*Puffendorffe*) at *Vienna*, had joyned with the Ministers of *Bavaria* and *Newburgh*, to remonstrate to the Emperor, the fatal Consequences that would be from the March he is now upon, if he were not pleas'd to desist, tho' the *French* Ambassadors here had, as he said, entertained great Prejudices against that Minister as favouring the present Councils at *Vienna*. Here we observ'd, that he added, that *Sweden* would go willingly as far as it had Light. But the Matter of Religion, now advanced by the King of *France*, is that which he cannot see into: He has already (said he) given the Town of *Erfort* to a Bishop. He now proposes that the Roman Catholicks shall come to the Magistracy in *Holland*, and he closed with this, that he could not but take notice of some Changes in our Court upon that Account.

But yesterday he and Monsieur *Ehrensteen* gave us a solemn Visit, wherein M. *Tott* did enlarge upon the Cessation, from his usual Topicks, of the Marching of the Emperor, the Rupture of *Spain*, and the Coming in of the *Turk*. This gave us an Opportunity which we sought before, but had missed to let them know, in the fullest and plainest Manner we could, how our Master's Pleasure and Order to us was most express, not to hearken to any Proposal or enter into any Debate touching the Cessation.

From this Subject, they passed to another, which they called a private One; it was upon an Advertisement they had had, as they said, from M. *de Leyenbergh*, that your Lordship had complained to him of three Things which you were pleased to except against in the Conduct of the Mediators here. 1. Their arguing strongly against the Pretensions of our Master. 2. M. *de Tott*'s going to the *French* Camp without giving us Notice upon his Departure, nor acquainting us with the Occasions of his Journey. 3. *Thirdly*, The making of the late Treaty at the *Hague*. Upon the first Point, they excused themselves vouching the Observations that we might have made on them; That they had never argued in earnest, otherwise than as Mediators to moderate and attemper Things, except in the Point of our Descent in *Zealand*, which they still own to dislike; as that which, if it succeed, will ruin that Government. As to the 2. M. *Tott*, whom alone it concerned, was a little embarrassed to make his Excuse; saying, he was then ill, and took leave of no Body: That he had, as he said, occasionally discoursed to us of his Intentions to make that Journey, and what was to be his Errand in it.

As to the Treaty, which was the third Thing, his Answer was, what we have heretofore troubled your Lordship with: That is, was no more than the doing of that for themselves, which the two Kings, in Case they did not themselves prevail, were obliged to do for them: He clos'd with this, that their Meaning in what they had said in this Matter was, to take away from our Master and his Ministers any Kind of Impression

or Umbrage, as if the King their Master, or they in their Persons, could be wanting in any Occasion to serve the Interest of *England*, and to satisfie our Master with all imaginable Zeal and Sincerity, desiring us to do them that Right, as to make this Representation to your Lordship. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{22 \text{ July}}{1 \text{ Aug.}}$ 1673.

My Lord,

OUR last to your Lordship was of the $\frac{13}{23}$th *July* by the Ordinary of that Day, with an Account of what had then happened of any Kind here; a Copy of which we take leave to enclose in Case of Accident.

Sunday Morning the $\frac{20}{30}$ *July*, arrived your Lordship's Express with Letters of the 14th, together with a double of one of your Lordship's to us of the 11th, the Original of which came to Hand, some Hours after by the common Mail; for which we now presume to return your Lordship our humble Acknowledgments, reserving ourselves for all other Matters to the Express we mean to dispatch back to Morrow Morning, and which we hope may be with your Lordship 'ere this comes to Hand.

The *Dutch* Ambassadors are not yet return'd, nor is it said certainly when they will; the earliest we are to expect them, is said to be the middle of the next Week, which leaves us in the mean Time wholly idle, as to the main Business; what casual ones have occurr'd since our last, the Express shall bring your Lordship at large; in the mean Time, we humbly take leave of your Lordship, and remain with all Respects, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{21 \text{ July}}{1 \text{ Aug.}}$ 1673.

My Lord,

OUR last was of the $\frac{18}{28}$th by the Ordinary, a Duplicate whereof we here inclose; as also of another of $\frac{15}{25}$th, which is all we have writ since those we dispatch'd by our Express Mr. *Frances.*

Upon *Sunday*, about 11 in the Forenoon, arrived the Express Mr. *Barre*, and brought us the Honour of one of the 14th from your Lordship, together with the Duplicate of another of the 11th, the Original whereof we received above 6 Hours after by the Ordinary.

We resolve, God willing, with all Care and Exactness possible, to observe his Majesty's Commands in every Particular of those Letters, and we have already renewed our Instance of Exception against the *Preface* in the *Dutch* Plenipotentia, to two of the Mediators separately, having not met with them together at their House, as we designed; and we already find our Exception to that *Preface*, has more Weight with them now, that they see, we have an express Warrant from our Master to insist upon it.

We are very glad to find his Majesty is not displeased with the Method, whereby we have, (being fundamentally tyed by our Instructions to act and move as the *French* do,) been forc'd to propose our Demands to the

the *Dutch*, and we presume to think ourselves sufficiently commission'd to call upon the *French*, and press them, in Case we find the Expediting of this great Affair, in Order to bring it to a Close this Summer, shall happen to stick in any Point on their Part.

We do hope, we do fully enough comprehend his Majesty's Pleasure, as to the Gradations we are to make, in Reference to Places, in that Part of your Lordship's Letter, which directs us to insist upon an Entertainment for 2500 Men, it is said to be towards the Expence of his Majesties Garrison in the singular Number; our Instructions bearing, that we shall insist upon 2 Places at the least, we have a Doubt arises whether his Majesty intends an Entertainment for 2500 in each of the Places, or only that Number in both Places? We humbly beg your Lordship's Pardon, if this Scruple may possibly appear to your Lordship without Cause, we being anxious to understand our Master's Mind fully and plainly in every Circumstance, in a Part of our Business so important as this is.

We gave your Lordship an Account in our last, how the Mediators had thought fit to purge themselves to us of that personal Concern and Partiality, wherewith your Lordship, as they said, had charg'd them to M. *de Lyenberg* against our Demands: But when we communicated their Apology in this Point with the Ambassadors of *France*, M. *Courtin* did not stick to avow unto us openly, that the Mediators had even declaimed to them against our Unreasonableness in Demanding Places; and that not so much out of a Zeal in their Office of Mediation, as out of their own proper Concernment, and as of themselves, from their own Reason, and the Interest of their Crown; as they own'd it expresly that our Master should not be by that Means, so much above the Ballance, which they proposed to themselves, to leave settled in *Europe*.

M. *Courtin*, as he told us, had argued with them several Times, and endeavoured to shew them their Mistake about the Ballance, from this Reason, *viz.* " That the *Dutch* do at this Time sufficiently Ballance " the Power of *England*; yea, now they keep the Sea as the stronger, " notwithstanding that considerable Force which *France* joyns to *Eng-* " *land*": If therefore they are a Ballance to *England*, notwithstanding the Embarrass they are in at this present, by the War at Land, and notwithstanding the Accession of *France* to it, they will be so much more in a Time of Peace, notwithstanding a strong Place or two the *English* may hold in their Country; it being not reasonable to think, that an *English* Garrison or two, which M. *Courtin* was pleas'd in his Argument, as he repeated it to us, to take for granted, the *English* would be soon weary of, by Reason of the Expence of Entertaining it, should weigh more in the Ballance to bring the *Dutch* beneath the *English*, than the Attack of the King of *France* by Land, and his Conjunction with the *English* at Sea, does at this present.

We were extreamly surpriz'd at this Discovery, and could not forbear to express as much to M. *Courtin*, and that with some warmth, concluding this was to give up our Cause, before it was argued; it being not to be expected, that ever the adverse Party should be brought to grant a Point, that goes so near their Heart, as this of Places must needs do, when the Mediator, who is the indifferent Person, and holds the Ballance in the Adjustment, shall of himself, and as of his own Reason unask'd, so Prejudge the Demand, as to declare not only that the Demand is unreasonable, but that he himself is concerned, that it should not be granted.

We

We should have forthwith entred into an open Expostulation with the Mediators upon this Matter, but that we feared to make a Step of this Moment without his Majesty's express Order; but yet we concluded it absolutely necessary, that the *Swedes* should understand our Master, as soon as he shall be advertiz'd of this from us, and must needs think it is an unfair Sort of Proceeding, as contrary to the indifferent Temper Mediators should be of, and a very unequal Return to the Confidence our Master reposes in that Crown; by Intrusting all his Interests on this great Occasion singly in their Hands, so as to refuse all other his Neighbours and Allies, who offer'd themselves to joyn in the Mediation. This we chose to do for the present, under his Majesty's gracious Favour, by the *French* Ambassadors, to whom the *Swedes* had open'd themselves so heartily against our Master's Demands; and we did no sooner let them know our Desires in this Particular, but they readily undertook, as of themselves, and as they chose to derive it upon an Advertisement from the *French* Ambassador in *England*, 1*st*, To take notice to the Mediators of that Partiality, wherewith they are observ'd and talk'd of in *England*, to Interest themselves against our having of Places. 2. To convince them that they are in an Error, as to the turn which those Places, when they are in his Majesty's Hands, will give to the Ballance, they usually speak of. 3. To repeat to the Mediators what they have upon all Occasions profess'd, that their Master will never hearken to a Peace, tho' the Offers to him should prove as full as he can desire, till our Master also be fully satisfied in his Pretensions.

This, My Lord, they did undertake to do, and did it to M. *Tott* on *Sunday* last. We must do the *French* Ambassadors that further Right, as to acknowledge, that in our Conversation with M. *Courtin* on *Saturday* last, he told us, we should have a Peace whenever we desired it, and that the Most Christian King would so far consider the Desires and Occasions of our Master for a Peace, that when he should speak the Word, he should be made the Judge and Arbiter of the Reasonableness of the *French* Demands; and the Most Christian King would fall much lower, rather than continue the least Disaffection to our Master.

He told us likewise, he had some Days ago taken the Liberty to give the Mediators a round Lecture, in telling them, that it was their Part being obliged by Treaty, and receiving so considerable Subsidies, as they do out of *France*, to declare the Emperor's March to be on Grounds that are not just or reasonable, considering the Terms on which *France* hath all along offer'd to withdraw their Forces out of the Empire; and that their Minister *Puffendorffe*, does a Wrong to his Master, as well as a Disservice to *France*, in Favouring, as he does, the Councils of *Spain*, in the Emperor's Court.

In Consequence of this, the Mediators did, as he said, apply themselves to the *French* Ambassadors, desiring they might be furnish'd with Reasons proper for the Remonstrance they intended to make to the Emperor in Opposition to his March: And that the Mediators brought the *French* the *Brouillon* of a Letter very well written, wherein they remonstrate to the Emperor, that the *French* do not hold their Troops within the Body of the Empire, but for want of Assurance, that the Emperor will not employ his Arms against *France*; and that as soon as *France* hath a Declaration either from the Emperor himself, or from the Dyet at *Ratisbone*, or from a competent Number of the most considerable Princes of the Empire; that the Emperor will not march to the Assistance of *Holland*, the Most Christian King will forthwith call back all his Troops out of the Empire: which Declaration, if it should be refused

to

to *France*, and the Emperor ſhould march, the *Swedes* muſt execute their Treaty with *France*, and oppoſe him; and M. *Courtin* and his Collegues, are, as he ſays, very well ſatisfied with the *Swedes*, as to this Remonſtrance.

UPON *Sunday*, Monſieur *Courtin* doing us the Honour to dine with us, we had the Opportunity, even before your Lordſhip's Letters were decypher'd, to let him know M. *de Salinas* had met with a very mortifying Reception from our Maſter; this News warmed him into Expreſſions of Veneration and Service for his Majeſty: He told us, *France* would either make no Peace at all, or make ſuch a one as ſhould be fully and abſolutely to the Mind of our Maſter.

AT Seven in the Evening, we met with him and his Collegues at the Biſhop of *Strasburgh's*, and having decypher'd our Letters, we communicated to them the whole Paragraph in your Lordſhip's Letters touching M. *de Salinas* his Reception, as likewiſe a Paragraph of the ſame Tenor out of a Letter from Mr. Secretary *Coventry*: We cannot expreſs the Gratulations, and, we may ſay, the Tranſports we met with in the *French* Ambaſſadors after we had read them an Account of that Affair, neither they nor we finding any Expreſſion big enough to give it's due to ſuch a Conduct, ſo highly generous and magnanimous as that of our Maſter was in this Point; and the *Eclat* of it has engaged them, the Biſhop of *Strasburgh*, and the Miniſters of all Friends here, in giving us their Gratulations and Careſſes ever ſince.

M.*Courtin* had promis'd us in the Morning that the *French* Ambaſſadors ſhould ſay and do, what we ſhould deſire of them, in Order to remove the Mediators from their Partiality againſt us, in Point of Places; at Night they took their Meaſures how to do it; M. *de Chaulnes*, and M. *Courtin* gave us an Account ſeparately, how they had acquitted themſelves to M. *Tott* in that Undertaking; ſaying, that M. *Tott* for his Apology, profeſſed two Things: 1*ſt*, That it was never in his Thoughts to eſpouſe the Intereſt of any of the Parties, but that he thought it his Duty to argue againſt their Pretenſions, in ſome Caſes, in Order to moderate them. 2. That he has the Infirmity of too great a Frankneſs in his Applications and Diſcourſes, which may have given Umbrage; but that for the future he will endeavour to govern himſelf with the Reſpect that is due to our Maſter in all Things, and keep himſelf ſtrictly within the Bounds of his Office. But we do not find in all this, that the *French* Ambaſſadors have particularly inſiſted upon the Point of Places, as a Thing either reaſonable, and fit to be granted us in their Judgments, or neceſſary to be parted with, in Order to bring their King to hearken to a Peace.

WE muſt not forget to tell your Lordſhip, that M. *Courtin*, in the Converſations abovementioned, and likewiſe in that of yeſterday, hath declared that we muſt have a Peace within theſe three Months; and, as he phraſed it, before Winter; ſooner it cannot well be, becauſe there will be an Expectation of what our Attempts at Sea, what the Muſterings of the Emperor, and Threatnings of *Spain* will produce; if it go further than three Months, it will be ſo much the worſe for us, for there will be ſo many Leagues and Confederations againſt us upon the Anvil, that we muſt receive a Peace upon far more diſadvantageous Terms, or elſe none at all.

UPON the whole Matter, we preſume humbly to obſerve to your Lordſhip, our great Point of Places may, we fear, have been render'd of late more difficult, by the Prejudices the Mediators have caſt upon it; and we humbly conceive, that the Way for our Maſter to obtain

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fully and certainly his Satisfaction, would be, as to set *Sweden* right, so to bring *France* to own and stand by his Majesty in this Article of Places expresly and by Name; which, as we have often observed to your Lordship, we could never yet find the Ambassadors here could be brought to do; tho' we have frequently, not only given them the Occasion of it, but in a Manner let them know, we expected it from them; they ever industriously sliding it over, or hudling it up in the general, of standing by our Master in all his Demands. *Secondly*, That there appears to us more Reason to suspect something like that which M. *de Strasburgh* and his Brother suggested some while ago, whereof we gave your Lordship an Account, as if the Scheme for the Peace had been hitherto laid, by Providing that *France* should have its Satisfaction to the full; and then for our Master, and the common Allies, they should be content to take what they could get; it being not unlikely, but that, as soon as *Holland* can be wrought about to find a Satisfaction for *France*, a Necessity will be pretended to huddle up the Peace before Winter, for many Considerations, particularly for Fear of the Conjunction that will then be forming against *France*, and the whole Alliance; to which Sense we think, that which hath fallen more than once now of late from Monsieur *Courtin*, of having a Peace before the Winter, is to be applied. Thus, My Lord, finding your Lordship not to discountenance us, we continue now and then to offer our humble Reflexions, but it is still with that Submission that is fit.

Before we close this Dispatch, we shall crave leave to add one Word of an Afternoon Conversation, which we have had this Day with the Bishop of *Strasburgh*, since it seems not to vary much from what is abovementioned, of Measures already taken, to satisfie *France*, and to leave the rest of the Allies to shift for themselves as well as they can; for else we cannot imagine, what the Bishop meant, in saying that our Master should have some Frontier Places (he named *Zwoll*) put into his Hands, if he have not that good Success in his present Design, as to take some Places by Descent; letting us see plainly enough, that there is some new Way thought off for the Gaining Places for us, other than that of Obliging the *Dutch* to deliver those that we now demand into our Hands; especially when we compare what the Bishop said, with that which fell from M. *Courtin* last Night, *viz.* that it is but just the *French*, considering how generously our King has stuck to them in this War, should content themselves with two or three Places less than those they have, and may hold, rather than suffer our King to go out of his War unsatisfied, and without having gain'd any Thing to his Share: As if his Majesty, taking no Place by the Force of his Arms, were to content himself with such Inland Places as his Allies are willing to spare him: Some such Notion we suspect may be in Agitation at this Time, but we cannot yet get any further light into it: Yet we take all Occasions to declare, that such Expedients will be far from answering our Master's Aims, or satisfying his Mind in this Point. We are, *&c.*

To the Earl of *Arlington*.

Cologn 25 July / 4 Aug. 1673.

My Lord,

We were so large in the Dispatch we made yesterday by *Barre* the Express, that we thought we should not have had Occasion to

to have given your Lordſhip any Trouble by the Ordinary of this Day. But it has happened, that the Mediators having, upon ſome Letters they received yeſterday from their Miniſter *Applebocm* at the *Hague*, made a moſt paſſionate Repreſentation to the *French* Ambaſſadors and us, of the great and fatal Criſis the Council of *Holland* is upon, now at this Time, as to Peace or War; concluded with an earneſt Deſire to us, that we would at once let them know the very loweſt our Maſters would go in their Demands, in Order to the preventing *Holland* from throwing it ſelf into deſperate Councils, by embodying it ſelf into the Alliances of the Emperor and *Spain*, now upon that Part to be formed againſt us: We thought ourſelves obliged, having firſt communicated thereupon with the *French* Ambaſſadors, and received their Approbation in it, to let them know, the very loweſt that our Maſter would be content with as to the Point of Places, (which we find is ſtill the only one that ſticks) ſo that we concealed that laſt fall, *viz.* his Majeſty being content to pay the Garriſons himſelf. This Declaration of our Maſter's laſt Mind, we were, by your Lordſhip's Letter of the 14th, directed to make upon the Return of the *Dutch* Ambaſſadors from the *Hague*. But we find this Occaſion ſo weighty, and the Mediators ſo preſſing in it, that we judged it for his Majeſty's Service a little to anticipate the Time, and to do it now, as we have done ſolemnly this Morning, at the *Carmes*. In which we hope we ſhall be the more juſtified, that we find the *French* Ambaſſadors bemoan themſelves they had not done the ſame on their Part, not having more of their Maſter's Mind, than what they had firſt brought with them, agreeing this to be the proper Time for the two Kings to declare their laſt Minds, and wiſhing it had been done ſooner. This is the Sum of the Particulars we reſerve for an Expreſs, which we will ſend to Morrow. We are, *&c.*

To Sir *William Lockhart.*

Cologn $\frac{26 \text{ July}}{5 \text{ Aug.}}$ 1673.

SIR,

YESTERDAY the Mediators repreſented to the *French* Ambaſſadors and to us, that the Councils in *Holland*, as the *Swediſh* Miniſter thence informs them, are at this Time in a deſperate Criſis; and that it is feared that, according to the preſent View they have of the Demands of the two Kings, they may determine them to be unſupportable; and conſequently throw themſelves into a perpetual War, as *Spain* will have them; then there will be no Hopes of this Treaty, nor indeed of a Peace in our Days: *Amſterdam*, and the greateſt Part of *Holland*, is, they ſay, for a Peace, if it be tolerable; The Prince of *Orange*, *Fagel*, and the Military Officers, are for a War; and do cry out againſt the Demands of the two Kings as moſt intolerable: They (the Mediators) have only hope left, that if they may have the very loweſt Demands of the two Kings reſpectively Time enough confided into their Hands, and thoſe prove to be ſuch as they (the *Swedes*) may own for reaſonable, they may, by their Miniſters there, make ſuch Inſtances, as may either ſtop the ſigning of the Treaty now drawing up between the States and the Houſe of *Auſtria*, or elſe get the ſecret ſigning of it to be revoked by the Party that is for the Peace; they being reſolved, as they ſay, to declare againſt the *Dutch* in the Execution of

their Treaty with the Two Crowns, in case the *Dutch* shall refuse Peace upon reasonable Terms.

The *French* Ambassadors, and we, are fully convinced with the Fatality of this Juncture we now are in; therefore, we happening to be provided with Instructions from our Master how low to go, and by what Steps, when the *Dutch* Ambassadors should return, and the Treaty go on, resolved to impart unto the Mediators at this Time, and upon this Occasion, that our Master would be content, that if he cannot get *Flushing* and *Ramekins*, which is the first Gradation, he will take *Goree* and *Helvoet Sluis* in lieu of them: If those cannot be had, he will be content with *Goree* and the *Brill*; which is the lowest he will go. We are to demand those in Sovereignty, and for Perpetuity, as the States hold them; but for the Peace's Sake, his Majesty will come so low, as to be content to put sufficient Garrisons of his own in them, the States furnishing the Entertainment; and instead of having them perpetual, his Majesty will desire them but for a certain Term of Years.

This is our Secret, which we deposited in Confidence with the Mediators, to be made Use of as they should see Cause, for the Good of our Master and the Peace: But the *French* Ambassadors, having given their Approbation to what we did declare to the Mediators, that they could not tell how low their Master would go, they having received no further Knowledge of his Mind, than what they brought hither along with them in their first Instructions: They made no Difficulty, 1*st*, to declare, that they wish'd heartily they had their Master's lowest Word to give on this Occasion, fearing, as they said, Things may go too far, in a few Days, if they be not so already. 2. To undertake they will write with all Diligence and Earnestness to Court, (using that Expression) that they would attack their Master in this Point. 3. To intreat the Mediators very earnestly to write to the *French* Ministers, and us to write to you, Sir, as also into *England*, to press the enabling of the Ambassadors of *France* here, to come to the *dernier mot* of their Master.

This we thought our Duty to communicate unto you, Sir, that you may govern your self as you shall see Cause in this Juncture. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{28\ Jul}{7\ Aug.}$ 1673.

My Lord,

In our short Letter of the $\frac{25\ July}{4\ Aug.}$ which we had the Honour to write to your Lordship by the Ordinary, we gave your Lordship an Account of a Step we were brought to make that Morning of very great Importance, promising the Particulars by an Express, which we shall endeavour to deduce in their Order as followeth.

The *French* Ambassadors sent on *Friday* Morning to take an Hour of us, but we took Occasion to prevent their Visit; and going to M. *de Chaulnes*, Messieurs *Courtin* and *Barillon* came thither; they told us, they had a Desire to communicate a Conversation they had had with the *Comte de Tott* the Evening before, who had called upon them, as he returned from our House after Dinner.

He had told them, (as they were pleased to repeat it) that by Letters which he had newly received from the Sieur *Appleboone*, (the *Swedish* Minister at the *Hague*) they found the *Dutch* were now upon a

Debate of infinite Consequence, *viz.* Whether to close in a Peace upon the Square of those Demands, which the Mediators had communicated to their Plenipotentiaries here, as the principal Points of the Two Kings; or else to enter into new Engagements with the Emperor and *Spain*, for a desperate War? That that Minister found there was great Diversity of Opinions among them; *Amsterdam* and the greatest Part of *Holland* being for the Peace; the Prince of *Orange*, the Military Officers, and Pensionary *Fagel*, being for the War: The Province of *Zealand* joyning also with the last, partly out of their Inclinations to the Prince, and partly out of their Indignation against the Descent of the *English*; therefore he, as a Mediator, came to offer to them, as he said he had intimated to us, tho' indeed he never mentioned a Word of it that we could observe, whether it was for the Interest of the Two Kings, and greatly conducing to the Peace in this Juncture, that the *French* Ambassadors and we should immediately, and at this Time, resolve to speak out the last Word, and impart to them, the Mediators, the very lowest that would finally content our Masters, as to the principal Points given in respectively on their Behalfs: The Reasons he offered, were 1*st*, That by these Means, those who now appear inclined to a Peace, will be prevented from being prevailed upon by the other Party to throw themselves into desperate Councils, and joyn in the resolve of a War, rather than sit down under such very hard and, as *Comte Tott* phrased it, enormous Conditions. 2. That by these same Means, the *Swedes* would be enabled, upon very good Grounds, to speak roundly to *Holland*; and finding the Demands reasonable (as they hope to find them) and fit to be complied with, they will make no Difficulty to declare against the States, and openly break with them, because they refuse a Peace upon reasonable Terms, in Execution of their Treaty with the Two Crowns.

The Duke told us, that *Comte Tott* had here inveighed very vehemently and severely against the Demands of *France*, as exorbitant and intolerable; and that he did also *encha*ŕ*ner* those of our Master in the same Charge: That the Mediators (as the *Comte* proceeded) had the same Proposition to make us, but that they had not been willing to do it, considering the Distaste they understood we had taken, upon what had lately come to our Knowledge, of their partial Conduct and Declarations, relating to our Master's Demand of Places: And that therefore he prayed them, the *French* Ambassadors, to communicate this Overture to us. The *French* Ambassadors owned the Reflexion made by the Mediators to be very important, and that the Crisis at this Time in the Council of *Holland* was like to be fatal, at least decisive for a sudden Peace or an everlasting War.

In this Sentiment we could not but declare our Concurrence with them; and therefore having prayed the Liberty of withdrawing for a moment to speak together of it, they immediately left us the Room: We reflecting upon his Majesty's Pleasure, frequently repeated to us, that we should not only be ready upon all Occasions, and forward to give in our Propositions in Writing, but also press the *French* to joyn with us in all Things, that should conduce to quicken Proceedings, and to bring this Treaty to a happy Issue, did presume humbly to think, that those Instructions, which your Lordship's Letter of the 14*th* of *July* last, furnished us with, against the Time the *Dutch* Ambassadors should return from the *Hague*, (how and by what Gradations we should fall lower and lower in our Treating with them) might be not improperly apply'd to a Conjuncture of this Importance and Exigency; upon this

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Perswasion, that as, on the one Side, it will be for the Reputation of his Majesty's Zeal to the Peace, to have his lowest Demands come timely enough, and as soon as the Mediators call for them, to the Knowledge of his Adversaries; that they may not, in Case this Treaty should not succeed, have the Advantage of throwing the Odium of continuing the War, either upon any Backwardness in his Proceedings, or any Exorbitancy in his Demands; so, on the other Side, that in Case the Treaty do go on, his Majesty's Pretensions, in Case Successes do vary, will not be the less Entire for this Confidence in, and Communication with the Mediators, upon an Occasion so important, and a Remonstrance so earnest as theirs was: So that upon the whole Matter, we did, under his Majesties gracious Favour, adventure to comply forthwith with the Instances of the Mediators, and we thought it our Duty by no Means to let this Occasion slip, but nakedly to acquaint them with the lowest Terms our Master had directed us to descend to, in Case we came to close Treating with the *Dutch* upon the Article of Places: Thus returning to the *French* Ambassadors, we told them, if they pleas'd to call upon the Mediators, from whom they had received the Proposition, we would make a short Turn to our House to look over our Papers, and immediately joyn them at the *Carmes*, and there, after Communication first had with their Excellencies, we would frankly declare to the Mediators, our Master's last Mind as to the Article of Places.

We rendred ourselves as fast as we could at the *Carmes*, and having communicated with the *French*, and had their express Approbation, in what we resolved to say to the Mediators, we repair'd to the *Swedes* Appartment, where *Comte Tott* repeated to us in Substance, what he had said the Day before to the *French* Ambassadors; pressing us to let them know, in Confidence, and as very hearty Servants of our Master, what were the very lowest Terms that a Peace might be had upon, on our Master's Part: The Article of Places was the only Thing spoken of in that Conversation, the Mediators not seeming to make any great Doubt of the rest: He added, they had Reason to fear the new Treaty with the Emperor was very near signing, if not already secretly signed by the Prince, the Pensionary, and some others deputed to the secret Affairs; that this was given out by some, but that their Minister could not penetrate into the Certainty of it; however, that no Time was to be lost, yea, and that tho' it was sign'd, yet the Knowledge that a Peace was to be had on tolerable Terms, would make those that are inclined to it, so to struggle, as to break that Knot, rather than involve themselves in a perpetual War.

Upon this, we told the Mediators plainly, and in Confidence, to be used to the best Advantage of our Master, and the Furtheranece of the Peace; that our Master had given us Order, that the World, and the Mediators principally, might see how heartily he desired the Peace, to let the Mediators know, in due Time and Place, he was contented, as to Article of Places, instead of all those named on the first Overture by us, to accept of the Town of *Flushing* and the Fort of *Ramckins*; but if that could not be had, that he would accept of *Helvoetsluis* and *Goree*; and in Case those were not to be obtained, his *dernier mot* was, that he must have the *Brill* and *Goree*.

As to the Way and Manner of holding these Places, we were in the Course of the Treaty, as we told them, to ask them first in Sovereignty, as the States now hold them, and for Perpetuity; but rather than fail of the Peace, his Majesty was willing so far to deny himself, as to leave the Civil Power wholly to the States, and to be contented with putting

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in of sufficient Garrisons of his own, the States being obliged, by a special Provision, to furnish wherewithal to pay and entertain them; and if his Majesty were pressed to go lower yet, he would be content, for the Peace's Sake, to hold them for a certain Number of Years only, to be limited in the Treaty. Here, MY LORD, we thought it best to keep to ourselves the single Branch of the Secret; that his Majesty would rather pay his Garrisons himself, than go without those Places; because that as Places are the principal Thing we are to contend for, so they are the only Thing that will be stiffly denied us; it being certain, that, if the *Dutch* will yield the Places, we shall have no great Difficulty to adjust the Expence that will be consequent to the possessing of them.

THIS the *Comte* acknowledged to be a considerable Abatement, and thank'd us for the Communication of it; but he told us withal, that upon several Debates he had had with the *Dutch* Ambassadors, they did still fly out upon the Mention of Places; and tho' he gave them all the Hopes he could of some Abatements in our first Demands, yet he could never gain from them a patient hearing of any Part of the Proposition of Places.

UPON this Occasion, he did not spare to tell us, the Convictions, as he call'd it, of his own Judgment, which could not, as he often repeated it, but conclude the Proposition very hard in it self, at the very best, and very lowest: Besides that, it was an Article which had nothing reciprocal to it, and was of a Stamp not yet heard nor known of in *Europe*: However, that they (the Mediators) would ask those Places for his Majesty with all Earnestness; tho' he must, as he said, tell us plainly, their Instructions did not go so far, as to enjoyn them to obtain any Sea-Ports for his Majesty, tho' they were to labour for his Majesty's Satisfaction to their utmost in his Demands; giving us plainly to underhand, that tho' *Sweden* was resolved to declare against the *Dutch*, if they should refuse a reasonable Satisfaction to both the Kings; yet that *Sweden* would never be brought to determine the Refusal of Places to us to be unreasonable in the *Dutch*; and consequently, that they would not declare against them on this Account.

THEY asked us, how far we would give them leave to make Use of this Communication? We told them, we desired first to speak with the *French* Ambassadors upon this Point, supposing that the *French* had given their Commission on their Master's *dernier mot* to the Mediators upon this Occasion, and resolving that ours should be the same; but when we put this to the *French*, they let us know, after some Hesitation, they had not been able to communicate their Master's lowest Demand to the Mediators, having received no more of their Master's Mind, than what they brought hither along with them in their first Instructions.

HAVING told us thus much, and the Mediators coming in to us, they went further, and made no Difficulty to declare, *1st*, That they wished heartily they had their Master's Mind to communicate in this Point, discovering a Fear, that this is a fatal Moment, and that Things may go too far, if they be not gone too far already. 2. They undertook to write with all Diligence and Earnestness to their Court, using that Expression, that they would attack their Master in this Point; and requesting earnestly that the Mediators would write to the *French* Ministers, and that we would write to Sir *William Lockhart*, and into *England*, that the Most Christian King may be pressed of all Sides to enable his Ambassadors here to come to the *dernier mot*.

UPON this Communication, wherein M. *Courtin* bore the greatest Part, and had all the Appearances of being in good earnest; the Mediators took that Occasion of having this Request made to them by the *French*, to make a Request, as they called it, to us; it was, that we would

would represent to our Master, as their Sense and humble Suit, that he would take it into his Royal Consideration, that there are several Sorts of Sureties, besides those of Places; which his Majesty may have, if he please; and which will be, in their Judgments, more to his Satisfaction; they named five, and did it as a Thing premeditated: 1. A solemn Oath from the Prince of *Orange*. 2. A considerable Sum of Money from the States. 3. The Guaranty of all the neighbouring Princes and States; they undertook for their own King, and took it for granted, in the Presence of the *French* Ambassadors, they assenting, that the King of *France* would do the same. 4. *Quelques choses aux Indes*; so the *Comte Tott* was pleased to word it, in the Presence of the *French* Ambassadors, tho' when he was upon the Theme in his own Appartment, he used the Word, *quelques* Places *aux Indes*. The last Security was the present Distress of the *Hollanders*, which they would needs perswade us to be so great, that they will not think of a War in an Age. This M. *le Comte de Tott* delivered in a great Flourish; and our Answer was, that we could not believe any of those Expedients would answer those Ends that our Master had proposed to himself, in order to make it more difficult for the *Dutch* to violate their Treaties hereafter.

Thus this Conversation ended, and we are the more in Hopes of having his Majesty's gracious Approbation of what we did, in that we found, in a Conversation last Night, the *French* Ambassadors freely and fully acknowledging, that what we had done was very well done, and in the proper moment. Monsieur *Courtin* did not stick to break out into very extravagant Expressions against their Ministers, who have kept them in the dark all this while; saying, it is very much to be feared, their Master's last Word will come to their Hands when it is too late; and adding, that had they known it at this Time, they might have closed a very advantageous Peace for their Master, which they foresee they will not be able to do another Time. From several Passages in this Conversation with the Mediators, we saw plainly, that not only the Partiality, (we had charged them with to the *French* Ambassadors, of having hitherto rather discountenanced our Demands, of which we gave your Lordship a distinct Account in a late Dispatch) was not without ground; but that indeed, we are not to expect they will, for the future, govern themselves otherwise in that Matter: For we find the Way they take in this Mediation is, not only to interpose their Offices, by perswading, pressing, arguing the Parties into a Moderation, which we think, generally speaking, were the proper and utmost Work of a Mediator; but even to judge of the Conditions proposed between them, so as expresly to countenance or discountenance, second or oppose every Demand, as it appears to them, in their own Judgments, and by the Measures they go upon, to be reasonable or otherwise; and this not only to the Party that is unreasonable, which were possibly to be allowed them as Mediators too, in order to the bringing him to Moderation, but even elsewhere; and, as we have Reason to believe, to the adverse Party himself; which, we humbly conceive, is a little beyond the Figure and Personage of Mediators, and serves only to render him more presuming and insolent on his Part. This they did as good as profess to be their Method, giving us plainly to understand, and indeed saying it almost in express Words: 1. That till we have brought our Demands to be such as they, the Mediators, should judge reasonable, they could not give them any Countenance towards *Holland*, in the refusing them; (to that Sense it went to the full, according to the best of our Obser-

Observation) and next, that our Demand of these Places, even as now qualifyed by us, neither is, nor ever will by them be judged reasonable. We would be sorry to make two such important Observations upon the Mediators rashly, and without good Grounds. But from the whole Tenor of their Discourses upon this Point, and from several particular Passages, where it was declared almost in express Words, we could not, we thought, but with all the Reason in the World make these Conclusions upon it, most humbly beseeching his Majesty's Pardon for the Liberty we take in it. One of us received the enclosed Letter from a good Hand at the *Hague*, which we think needs not our Comment on it; and therefore shall add no more to your Lordship's Trouble, but that we are, *&c.*

Teneur d' une Lettre escrite de la Haye, le 30 *de Juillet. A Monsieur* Jenkins.

LE 28 après un grand debat, la resolution & conclusion de Messieurs les Estats fut encore une fois ce jourla; D' Envoyer des Exprès à l' Empereur, & à la Couronne d' Espagne, & de leur demander une reponse Catagorique, s'ils vouloient absolument declarer la Guerre à la France, ou non.

S'ils veulent, q' Eux continuerent aussi, & que la Communautè icy, sera fort resolve alors de payer le Cinquieme denier. Si non, qu'ils accepterent les meilleures Conditions qu'ils pourront avoir de l' Angleterre, & de la France, leur raison est, que les Finances commencent à manquè & la Communaute à murmurer, & qu' ainsi ils pourroient gagner du tempe.

Le tout avec l'approbation de Son Altesse.

Le 29. la plus part des Estats estoient d' advis de ne traiter ny avec la France seule, ny avec l'Angleterre seule; aprez quel, comme auparavant on parla de la France. Que le Roy estoit dèja dans le Coeur de ce pays & qu'on pourroit tirer un grand advantage de ce voisin, &c. Que Pour le Roy d' Angleterre on a dit; Que le Roy avoit l' armèe navale de la France en sa puissance & que par politique il la pourroit arrester, & que la France ne seroit pas en etat d'armer une pareile Flote de plusieurs annèes.

Pour la Swede on avoit fait mentionè.

Qui on y estoit fort jaloux de la France, & qu'on y Soupçonnoit quelque intelligence entre la Maison d' Austriche & la France, & que la Suede declarera certainement la guerre à la France sans faire de plus grand progres de ce Costé la, *&c.*

Ce soir on a envoye par un exprès ces resolutions àson Altess, le Prince d' Orange.

Intelligenti pauca.

To Mr. Secretary *Coventry.*

Cologn 28 July / 7 Aug. 1673.

SIR,

ON *Friday* last, we were somewhat unexpectedly brought to make a Step of great Importance, as we conceive, in our Negociation here; we shall not trouble you, SIR, with a Repetition of that Account we

we gave my Lord the Earl of *Arlington* by the Expreſs, in Brief it was thus; The Mediators having had Advertiſement in what Criſis the Councils at the *Hague* were at this preſent, and having made very earneſt Inſtances with the *French* Ambaſſadors to come to their loweſt Demands, they profeſſed to the *French*, *quils n' eſtoient que nouvellement ſortis d'un eſclairciſſement* with us, upon the Imputation of Partiality, which they labour under in *England*; deſired them to acquaint us with the Neceſſity of cloſing with this Conjuncture, in Order to prevent the *Dutch* to run deſperately into a perpetual War; ſaying, that if they might know his Majeſty's loweſt Demands, they would make the beſt Uſe of it, in Order to bring the *Dutch* to Reaſon; hoping they might either ſtop the ſigning of the new Treaty between the States and the Houſe of *Auſtria*, or get the ſecret ſigning of it by the Prince, *Fagel*, and others deputed to the ſecret Affairs, revoked. Upon this we told them, in Confidence, that our Maſter would be content with *Fluſhing* and *Ramekins*; but in Caſe neither thoſe two, nor *Helvoetſluis* and *Goree*, could be had, his Majeſty's *dernier mot* was, that he muſt have the *Brill* and *Goree*; and inſtead of holding them in Sovereignty, and for Perpetuity, his Majeſty, for the Peace's Sake, would be willing to leave the Civil Power there to the States, and put in ſufficient Garriſons of his own, (the States furniſhing the Entertainment) and to hold them but for a certain Term of Years.

The *Comte Tott* acknowledged this conſiderable Abatement, but that the Propoſition was very hard at beſt, and at the loweſt; however they would, they ſaid, ask theſe Places for his Majeſty with all Earneſtneſs, yet they told us very plainly, that their Inſtructions did not enjoyn them to obtain any Sea-Ports for his Majeſty; intimating, that tho' *Sweden* would declare againſt the *Dutch*, if they refuſed reaſonable Satisfaction to the two Kings; yet that it would never determine the Refuſal of Places to our Maſter to be a Thing unreaſonable.

The *French* Ambaſſadors approving of what we had done, declared they had no more of their Maſter's Mind than they brought with them at firſt; but wiſhed, as we thought in very good Earneſt, that they had their Maſter's loweſt Word to give on this Occaſion; fearing, as they ſaid, Things may go too far in a few Days, if they be not ſo already. They undertook to write with all Earneſtneſs to Court, and as they expreſſed it, to attack their Maſter in this Point; requeſting the Mediators to write to the *French* Miniſters, and requeſting us to write to Sir *William Lockhart*, and to *England*, to preſs the enabling of the Ambaſſadors of *France*, to come to the *dernier mot* of their Maſter.

Here the Mediators took Occaſion to make a flouriſh to us, that we would repreſent to our Maſter, as their Senſe and humble Suit, that he would take it into his Royal Conſideration, *viz.* That there are ſeveral Sureties which his Majeſty may have, beſide that of Places; naming five: 1. An Oath from the Prince of *Orange*. 2. A Sum of Money from the States. 3. The Guaranty of the Neighbour Princes and States. 4. *Quelques choſes aux Indes.* The laſt Security was the preſent Diſtreſs of the *Hollanders*; which they repreſent to be ſuch, as will diſable them from making a War for one Age at leaſt.

Sir, We moſt humbly deſire your Favour in ſtanding by us, that this Step which we have made with the Interview of the *French*, and Satisfaction of the Mediators, may have his Majeſty's Approbation. In ſeveral Converſations we have ſince had with M. *Courtin*, he does rail very loudly againſt the Miniſters, that keep him and his Collegues in the Dark; ſaying, that if they had now the *dernier mot* of their Maſter, they

they could make a very advantageous Peace for him: But they fear it will now come too late. We muſt not expect the *Swedes* in any Degree favourable to our Demand of Places; they ſtill conclude againſt us, not from the Reaſonings of the *Dutch*, but from a Biaſs in their own Judgments. We are, *&c.*

To the Earl of *Arlington.*

Cologn 29 July / 8 Aug. 1673.

My Lord,

BY the Expreſs of yeſterday, a Copy of which Diſpatch goes here incloſed, we preſumed to give your Lordſhip a more particular Account of the great and weighty Step we told your Lordſhip, by the Ordinary of the fourth, we had been brought to make here, in declaring at once to the Mediators the very laſt and loweſt Mind of our Maſter as to the Article of Places: In which we humbly conceived, according to the State Things appeared then to be in, we did what was beſt for his Majeſty's Service, but do in all Humility implore, through your Lordſhip's Interceſſion, his Majeſty's Grace, if we have erred in it.

As we were finiſhing our Diſpatch of yeſterday, the Mediators came to Viſit us upon the old Errand of a general Suſpenſion, in which they ran over their uſual Ring of Arguments, the Fear of a general Flame breaking out in the Empire, the fatal Engagements now entring into between *Holland* and the Houſe of *Auſtria*, the Glory ſuch a Condeſcention would be to the two Kings, eſpecially to our Maſter; that after the Expiration of ſuch a Ceſſation, in Caſe the Peace did not follow, Things would ſtill be but in the ſame State; the two Kings would be as ſtrong as now they are, and *Holland* and its Allies not at all the ſtronger. This the *C. Tott* harangued upon, as his Manner is, very largely, grounding particularly the Inſtances they now revived in this Matter, upon the great Complaints the Elector of *Treves* has now lately carried to *Ratisbone*, *Vienna*, and moſt of the Courts of the Electors of the Empire, of the open Spoils and Violences committed upon his Country by the *French* Army, *&c.* which, ſaid he, may give but too fair a Pretext to the Emperor, who ſeems now to want nothing ſo much as a plauſible Occaſion for it; and ſuch as may gain the middle and indifferent Part of the Empire to declare openly againſt *France*, in Succour of an Elector, without warning the *Hollanders* in the Caſe: We anſwered, as to any Suſpenſion in the Empire, our Maſter had left that entirely to the Judgment of the moſt Chriſtian King, and that the *French* Ambaſſadors have often declared their Maſter never had been, nor yet was againſt it, if it came propoſed on the Part of the Emperor: But as to any general one, they the Mediators could not but think it a moſt unreaſonable Propoſition; and our Maſter had order'd us, as we had heretofore acquainted them, to declare, that abſolutely he could not agree to it, after the Offers the two Kings had twice made of it in the Seaſon that was proper for ſuch a Propoſition: They concluded, that at leaſt after the Execution of the Enterprize his Majeſty's Fleet ſeemed now upon, when that had had its Effect, that his Majeſty would pleaſe to conſider of that Point anew, and condeſcend to the Suſpenſion; we anſwered, we thought, as we had always told them upon this Argument, that it were much a better Way to lay aſide thoſe Thoughts of a Suſpenſion, and to fall in good Earneſt to the Peace; that the Work ſeemed much ſhorter, if the *Dutch* brought as

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ſerious and hearty Diſpoſition to it, as we did, than that of a Ceſſation; eſpecially after the great Condeſcenſion his Majeſty had uſed in the main Article of Places: This gave us Occaſion to enter upon the Diſcourſe of the great Abatements we had ſo frankly made, in our Maſter's Name, upon that Article.

The *C. de Tott*, among other Things, let fall, that indeed now, as we had abated it, he confeſſed the Demand to be moderate; which we laying hold of, in Order to the having a more expreſs Declaration of their owning it to be reaſonable as now we have left it; the *Comte* immediately recall'd his Words, and deſired leave to explain himſelf, which he did, by ſaying his Meaning was, that the Point, as it now ſtood moderated, would bear a treating upon; but that if he were ask'd his own Opinion, he muſt declare in his Conſcience, that it was ſtill too much, and ſo went on fumbling and ſhuffling in the Matter: That upon the whole, we cannot ſtill but fear, they are even yet in their Hearts againſt our having of Places in any kind: Tho' we do find them evidently, in all Occaſions, more and more wary how they diſcover it; and tho' we think the Notice we have taken to the *French* Ambaſſadors of their Partiality, has render'd them more cautious in what they ſay upon that Point, and ſeemingly more forward in their Profeſſions towards our Maſter's Intereſt, in this Negotiation; yet we cannot but believe their Judgments and Reſolutions remain the ſame, and that they are ſtill fixed againſt our having Places.

As we had cloſed our Letter of yeſterday, we received the Honour of your Lordſhip's of the 18*th* of *July*, for which we return our moſt humble Acknowledgments; and particularly for the Account your Lordſhip is pleaſed to give us of the Diſcourſe you had held with *Don Bernard de Salinas*, in Juſtification of his Majeſty's gracious and wiſe Anſwer to him, againſt the artificial Arguments uſed by him, againſt his Majeſty's Councils in this great Conjuncture; which we ſhall have Occaſion here frequently to make Uſe of towards the *Dutch*, and thoſe that plead for them.

The *French* Ambaſſadors, upon our firſt Advices of his Majeſty's Fleet being put to Sea, offer'd themſelves (as we touch'd to your Lordſhip) with great Zeal and Heartineſs, to give the Prince of *Condee* notice of it; to the end he on his Side, and M. *de Luxemburgh* on his, might keep the *Dutch* a little more alarmed than ordinary to Landward, and by that means favour his Majeſty's Attempts to Sea-ward. Yeſterday the Ambaſſadors received an Account their Letter had come ſafe to Hand, and that the Prince would not fail to give all the Help he could in that Occaſion, as your Lordſhip will pleaſe to ſee by his Letter, a Copy of which we preſume to ſend incloſed.

We are ſtill uncertain when the Two *Dutch* Ambaſſadors will be here; yeſterday we were told by the C. *Tott*, we may expect them about *Thurſday* or *Friday*; and M. *Isbrandts*, in that Belief, was yeſterday, or this Day, to ſend a Coach to lie for them at *Ruremond*.

We are full of Anxiety here, as your Lordſhip will eaſily judge, for his Majeſty's Fleet, and the Succeſs of the Land Forces, as finding plainly, beſides all other Conſiderations, that on that will finally depend the Iſſue of our Negotiation here: God Almighty grant it be ſuch, as we wiſh and pray for, to the Glory of his Majeſty's Reign, and the Eſtabliſhment of his Peoples Safety and Quiet. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{2}{12}$th *Aug.* 1673.

My Lord,

OUR laſt was of the $\frac{29\ July}{8\ Aug.}$ by the Ordinary, and in it a Duplicate of our Diſpatch the Day before by the Expreſs Mr. *Carleton.* Since that, we have the Honour of your Lordſhip's of the 25*th* of *July* to acknowledge, and therein moſt particularly your Lordſhip's great Charity, in believing that the late Diſcourſes and Surmiſes of this Place, could not raiſe in us any Apprehenſion of his Majeſty's Councils, nor of that moſt honourable Perſon laſt admitted into them. Indeed upon the News of a Change in ſome of the great Officers at Court, and of the Voyage of *Don Bernard de Salinas*, our Friends here did buz about their Suſpicions and Fears, as our Enemies did blaze abroad their Hopes and Aſſurances, of a Change to follow in his Majeſty's Councils: To this we did oppoſe ourſelves with the higheſt Confidence poſſible, aſſuring our Friends upon all Occaſions, that they would find their Suſpicions and their Fears to be groundleſs, and our Councils at Home to be very firm, and as ſtrongly knit together as ever, for the carrying on of the War, and the keeping inſeparable to the preſent Alliance; and tho' we thought it our Duty to lay before your Lordſhip every little Diſcourſe that came in our Way, if it related in any wiſe to the Buſineſs of this Place; yet we never doubted in the leaſt, but that a little Time would bring us the Satisfaction, which we now fully have, of ſeeing our Friends convinc'd, that we were in the right in the Aſſurance that we had in our Maſter's Steadineſs and Generoſity, and they in the wrong, for ſuſpecting and fearing the worſt: The *Eclat* of his Majeſty's Proceedings with *Don Bernard* having perfectly removed all Umbrage of that kind.

Messieurs *Beverning* and *Van Haren* are not yet return'd from the *Hague*, nor is it certain when they will come: It is now ſaid, that when they do come, they will not bring along with them any certain deciſive Reſolution from their Principals; ſome attributing it to the Diſorder in which they broke up at the *Hague*, upon the Appearance of our Fleet on the Coaſt; others ſaying, that they have not yet adjuſted all Particulars with the Emperor and *Spain*, for the continuing of the War. This is agreed on all Hands, that *Amſterdam* and other great Towns, are much inclin'd to a Peace; but that they dare not ſpeak it out, for Fear of the Prince of *Orange*, and thoſe that are for War.

The greateſt News from *Vienna* is, the Emperor's Proteſtation here incloſed, which meets with Reflexions upon it here, that are ſomewhat ſevere; *viz.* That there was no ſuch Proteſtation thought of when he march'd ſome Years ago againſt the *Turks*; and that this Preface is ſomewhat improper, his Expedition now being in Aid of the *Hollanders*, who are declared Enemies of that Church, for which he ſhould employ his Arms: if not againſt them, yet againſt the *Turk*, that threatens it with a preſent Ruin; and it is a wonder that the Jeſuits, who are reputed here to be the Authors of this Flouriſh, did not bethink themſelves of thoſe Objections.

It has been hitherto believed, that the Electors of *Mentz* and *Saxony* would meet the Emperor at *Egra*, but it is now ſaid, that both of them have excuſed themſelves; and tho' the Duke of *Saxony* hath all along de-

declared his Approbation of the Emperor's March, yet he will not, they say, joyn his Troops with the Imperial one, but leave them wholly to the Direction of the Dyet at *Ratisbone*.

On *Wednesday*, we dined at the Mediators, where we found a Gentleman, said to be an Envoy from the Elector of *Triers*, with Complaints of the Ravage made by the *French* Troops in his Master's Country; he did not make any particular Application to us, but took all Occasions to say, that the *Degât* was so great, that his Master's Subjects had now nothing left; that even a Peace will come too late for their Turns, since they are despoil'd of every Thing that they might have hoped to keep by a Peace; yet the *French* Ambassadors do tell us, that their Master hath sent Commissaries upon the Place, to inform themselves of, and to satisfy for all the Spoils that have been committed; and that the Officers of the Elector have attested in good Form, that the *French* have given full Satisfaction every where; and those Attestations are sent to the Dyet, and to *Vienna*, to be opposed to the Clamours there made by that Elector against the *French*.

But the Mediators did, upon the Occasion of this Envoy's being present, tell us, that the *French* have *gâte leurs affaires* in the ill Treatment of *Treves*; for the Emperor, that would have had many Difficulties to declare his March to be for the Succour of *Holland*, and to break with *France* directly upon that Point, will now have as fair a Pretext as he can wish, to march for the Relief of an Elector, whose Estates are ravaged by Strangers, in the Bowels of the Empire.

In this Conversation with the Mediators, nothing more fell from them, than that they gave us many Thanks, that we made so little Difficulty to communicate to them our Master's lowest Demand, as to Places, the other Day. They told us, they hoped it would have a very good Effect, in order to the Peace: They added, that they are now rightly understood in the Court of *England*, and that our Master is satisfied with their Inclinations for his Service; but still they cannot forbear, though we have constantly, and upon all Occasions, protested against it, to mingle their Hopes and their Wishes, that his Majesty will still shew further Condescensions in the Point of Places, which is (in their Language) to accept of some of the Equivalents that they are so fond of in their own Judgments. We are, *&c.*

To Sir *William Lockhart*.

Cologn $\frac{4}{14}$ *Aug.* 1673.

Sir,

His Majesty having given us his Instructions, bearing Date the 28*th* of *July*, to do all that we can possibly for the speedy concluding of a Peace here, and in Order thereto to depart (if need be) from our principal Demand of Places, we did communicate (as we are directed) with the *French* Ambassadors, these our new Orders. They had indeed imparted to us yesterday their Master's Mind, not to insist further upon *Lillo*, *Berghen op Zoom*, *Wilhelmstadt*, and *Zevenbergh*; but in lieu of them, as they stand in his first Demand, to content himself with the Town and Island of *Bommel*, the Fort St. *André*, the Island of *Voorn*, *Nimeguen*, and that Part of *Guelderland* which is between the *Wall* and the *Meuse*: But finding, as they do, by this further Step which our Master hath made, that this will either bring him a Peace, or else fully

discharge him of the Odium of continuing the War, do think it will be needful for their Master to come much lower yet, and give in his *dernier mot* to his Plenipotentiaries here. They told us, they will write for it with all Earnestness by this Conveyance, and they think it will be much in Aid of them, that you, SIR, do please to press their Master to come to his lowest. In Hopes of a favourable Answer from their Master upon this Point, they have desired us, not to communicate to the Mediators this last and lowest Word of our Master, till the Return of this Courier; at which Time, they hope to be furnished with Instructions to go yet lower than they have done. We have made our Request unto them, as we are directed in our Master's Name, that they will please to press their King to sacrifice as much as he can possibly of his Pretensions to this Opportunity, which, if lost, will never be recovered.

WE have told them, this very Juncture, while our Fleet is abroad, will not suffer us to conceal the very lowest we can go, since the *Dutch* may *opiniâtre* themselves, when the Campaign is over, and when the Meeting of the Parliament is approaching; and that therefore if we have any View, that the opening of ourselves to the Mediators, even before they the *French* have an Answer from Court, appear likely to prevent any fatal Step or Resolution in the *Dutch*, that we must do it; but it shall not be without Communication had with them, and their Advice taken how to proceed.

YOU see, SIR, by these Steps, how far we have hitherto been beforehand with them, in making towards a Peace; and we hope they will not, as Things now stand, suffer any Backwardness in the Manner, or Exorbitancies in the Matter of their Demands, to hinder us from the wish'd Effect of this Negotiation; and since they are ashamed, and in a Confusion, that the ill Fate of this Treaty, if it have any, must lye at their Door; We hope they will prevail this Time for their further Orders, and we doubt not your appearing very vigorously in Conjunction with their Suit, since it imports his Majesty, beyond Expression, not to lose this present Opportunity, which we reckon the more ripe, in that Messieurs *Beverning* and *Van Haren* are this Morning arrived here from the *Hague*. What they bring we know not; but as soon as we know, you shall have Part of it. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{5}{15}$*th August*, 1673.

MY LORD,

OUR last was of the 2*d*, and the $\frac{2}{12}$, a Duplicate whereof we send your Lordship herewith.

SUNDAY the $\frac{3}{13}$*th* Instant, in the Morning, the *French* Ambassadors having desired an Audience of us, the *D. de Chaulnes* told us, the Occasion of it was to give us an Account;

1. OF a Letter they had received from the King their Master, to the King of *Sweden*, to be delivered into the Hands of his Ambassadors here, in Answer to that he received some Weeks since from that King; of which your Lordship may please to remember, we gave you then an Account, in the Matter of the Suspension, *&c.* of which he, the *D. de Chaulnes*, at the same Time delivered us a Copy, which we take leave here to inclose to your Lordship. The Sum of it, as they told us, was, that as to a general Suspension, their Master could not in any Degree

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find it reaſonable, and that conſequently that Point was for the future wholly at an End.

2. To acquaint us, that the King, upon the Knowledge of what we had done here ſome Days ſince, in the Moderation we had declared on our Maſter's Part, as to his Demand of Places, had thought fit likewiſe to deſcend on his Part, to a conſiderable Abatement, as they ſaid, in the Point of the Ceſſion of Places; which was, that whereas his Majeſty had hitherto inſiſted to have, in lieu of what he now poſſeſſes of the States Territories, the Place of *Maeſtricht*, *Grave*, *Boſiduc*, *Breda*, *Bergen ap Zoom*, *Lillo*, &c. with the Dependencies, being generally the whole Country between the *Meuſe* and the *Scheld*; his Majeſty, to facilitate the Peace, was now willing, inſtead of ſuch of theſe Places as were like to give greateſt Jealouſy, and to be moſt ſtuck upon by the States, to receive *Lillo*, *Berghen ap Zoom*, *Wilhelmſtadt*, and *Sevenberghen*; the firſt for the Sake of *Holland*, as being the Key that locks up the *Scheld*, and upon which, by Conſequence, the whole Trade of *Amſterdam* depends; the other three, as the Frontiers and Security of *Zealand*; inſtead of theſe Places, his Majeſty was content to accept of the Town and Iſland of *Bommell*, the Fort of St. *Andre*, the ſmall Iſle of *Voarne*, the Town of *Nimeguen*, and that Part of *Guelderland* which lies between the *Waatil* and the *Meuſe*, with their ſeveral Rights and Dependencies. This, they ſaid, their Maſter had directed them to declare in his Name, as a conſiderable Abatement of his Demand upon that Article; but that in the firſt Place they were ordered to communicate of it with us, and to take our Opinion, whether we thought fit forthwith to acquaint the Mediators with it, or how otherwiſe beſt to manage it, for the common Advantages of our Intereſts in this Conjuncture.

We returned their Complements, as was fit, adding, we were glad this Abatement was come; that we hoped it would yet arrive Time enough at the *Hague* to aſſiſt ours, in the diverting any ſudden and deſperate Reſolution, the States might otherwiſe take, as to the continuing of the War; and that, as we humbly conceived, no Time was to be loſt in communicating it to the Mediators, as well in Order to the Influence, it is to be hoped, it may have upon the preſent Councils of *Holland*; as particularly, for that, after this Declaration on the Part of the Moſt Chriſtian King, we ſhall have further Grounds to preſs the Mediators to ſpeak yet more home to the *Dutch*, and their Adherents in the Empire, in Caſe they ſhould ſtill continue obſtinate, and think of proſecuting the War; upon which the *French* Ambaſſadors very readily agreed, without Loſs of a Moment of Time, to ſee the Mediators immediately after Dinner on this Occaſion.

After this, the Ambaſſadors communicated to us what had come to their Knowledge by the laſt Letters from *Vienna*, and the upper Parts of *Germany*: They told us, the Biſhop of *Strasburgh* had the Day before been with the Mediators early in the Morning, to ſhew them a Letter he had received; in which the Writer, after he had given an Account of the Emperor's Reſolution to part next Day towards *Egra*, that a good Part of the *Spaniards* and *Hollanders* Money had been already touch'd by that Court, and Bills lodged at *Vienna* for conſiderable further Sums, eſpecially by *Heemſkerke* the *Dutch* Envoy, now lately returned thither from the *Hague*, to a Degree ſufficient to entertain the Emperor's Troops the reſt of this *Campagne*, and a good Part of the Winter: After theſe and ſome other Occurrents in that Court, the Writer, it ſeems, had added, that the Miniſters of that Court made no great Account of *Sweden* in the Caſe, as not being at all in a Poſture to act, if they had

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a Mind to do it, *&c.* which the Ambassadors told us, the Bishop had bluntly put into their Hands to read, on Purpose to nettle the Ambassadors against the Emperor and his Party; as they told us the next Day, they fancied it had, by the ill Humour they found them in, at the Audience they had of them, upon the Point of their new Abatement.

The same Advices of the Emperor's March, and the Returns from *Holland* and *Spain*, the Ambassadors confirm to us, out of M. *de Gremonvill*'s Letters; which added, that tho' no other Publick Minister, besides that of *Spain*, were allowed to follow the Court in this March, yet that he had been invited in a manner to it, but that he had refused it, as a Thing that could by no Means become him; and by the manner of his writing, it look'd as if he had already received his Orders wholly to return, so soon as ever the Emperor had begun his March: His Letters are of the 3*d*, and he adds in the close, that having, for the exhorting the Elector of *Bavaria*, appear'd a little firm in demanding an Account of the Ministers, how the Emperor meant to deal with that Elector in this Conjuncture; the Count had told him, the Emperor had no Intention at all to act any Hostility against him, in the Belief his Imperial Majesty had, the Elector would do the same on his Part, carrying himself like a good Neighbour and Kinsman, and as became a Prince Elector, towards the Head of the Empire, which is look'd upon as said out of Form only, and to signify no more.

Monsieur *Courtin* passed over the same Heads, much to the same Effect, adding, that the Night before, meeting with the Count *de Sparr* at the Promenade, he had ask'd him, the Count, if he had seen the News from *Vienna*; he answer'd, yes: Well, reply'd M. *Courtin*, you see what Account they make of you in the Empire; methinks it is Time to look about you, and that this is the true Season of disabusing them, and of rendring your selves considered among them: He told us, M. *Sparr* seemed not only sensible of it, but withal confessed in a manner, the Matter of the Reproach, and that indeed they were not in good Readiness to act; however, that this was not the Place to press that Point; that they, the Mediators, were here with Instructions only to serve the Peace; that all Instances relating to the other Point, were to be made at *Stockholm*; which, M. *Courtin* told us by the by, had earnestly been made, and were now daily renewed there, by M. *de Feucquiers*, their Minister in that Court: But that they, the Mediators, were ready to do whatever might be thought to depend on them, in this Conjuncture; that if it should be thought fit, they were willing immediately to dispatch away an Express to meet the Emperor, declaring to him yet more peremptorily, that in case he should continue to precipitate Things by this March of his into the Empire, so as to prevent them, the Mediators, in the Work of Peace, which, they had reason to hope, by a little more gaining of Time, might be happily composed; that *Sweden* would be forced absolutely to declare against him. To which M. *Courtin* had answer'd, as he said, that they knew the Obligations they were under to *France*, in that case; and, on the other hand, as Mediators, they were best able to judge what Ways and Means are most likely to effect the Peace, and so it must be left to them, to do as they thought fit. Upon this Occasion, the *French* Ambassadors took Notice to us, that the *Swedes* of late had carried themselves every where much more to their Satisfaction, that is, the Ambassadors here had spoken in a better Tone to all Matters; that particularly their Minister at *Ratisbone*, had acquitted himself very well towards our common Interests in the Dyet.

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The Ambassadors told us, they were in good Hopes, the Elector of *Brandenburgh* would continue firm to his new Engagements, considering especially the need he will have of the Support of the two Kings, in the Matter of his Pretensions, at the winding up of the Peace, which are many; as the extinguishing the old Debt pretended upon him by the States, the recovering of certain Arrears of Subsidies, due from the States to him, upon some of the late Alliances between them; a considerable Cause he has at present depending in the Council at *Malines*, and some other Points of that kind, which they hope may be able to keep him a little steady to his late Treaty.

As to the Elector of *Bavaria*, we find they are a little more doubtful of him; the Emperor, they say, having sent the C. *Starenbergh* now lately to require a Categorical Answer, whether he means to come into the Councils of the Emperor, or to favour *France*; if the latter, that he must expect the Imperial Forces will immediately turn upon the *Upper Palatinate*, and make sure of him in the first Place. This they fear, may shake him a little; therefore to keep up his Heart, as M. *de Turenne* stands ready on the Edge of *Franconia*, if the Emperor marches that Way, to give him a Check, so they have order'd a Body of 3 or 4000 Horse under M. *de Vaubrun*, to advance on the other Hand, as far as *Philipsbergh*, whither M. *de Louvoy* is also posted in Hast, to see what may be further necessary for the securing Matters on that Side; and it is not unlikely, but the King himself may look that Way, if there be Cause for it. This is what the Ambassadors told us, in relation to the Affairs of *Germany*.

As to other News, they told us, they had come to learn by chance, (their own Letter, as they supposed, having miscarried) that the Prince *of Conde* had passed *Maestricht* with a Body of 3 or 4000 Horse and Dragoons, on his way into *Flanders*, having left 5 or 6000 more in the Parts of *Brabant* about *Bosiduc*, under M. *de Luxembergh*: That besides that this Reinforcement of their Troops in the Bottom of *Flanders*, would be more useful to our Master as to his intended Descent, it seemed at this Time necessary, to have a considerable Body of them on that Side to awe *Spain*, in case they should have any Thought of making good the Promise they are said to have passed to *Holland*, of openly breaking, so soon as the Emperor should be actually march'd out of his Hereditary Countries.

When we were come thus far in our Dispatch, to wit, on *Sunday* the $\frac{1}{11}$*th* in the Evening, arrived Mr. *Frances*, with your Lordship's Express of the 28*th*; and therein his Majesty's additional Instructions to us, containing his Majesty's last Pleasure, as to the Demands we are finally to insist upon, in this Negotiation, with the total Expunction of that Article of Places, in case we find the Peace cannot otherwise take Effect. We do most humbly acknowledge his Majesty's Grace, in so clear a Signification of his Pleasure in that weighty Part of our Business; and resolve, by the Blessing of God, to execute it according to the best of our Understanding, with all possible Care and Circumspection. In order to which, considering what your Lordship was pleased to intimate, that his Majesty had already acquainted the *French* Ambassador at *London* with it, in order to the transmitting of it to his Master; we thought we could not do amiss, immediately to communicate it to the *French* Ambassadors here, which accordingly we did yesterday Morning; letting them know, we had Orders first to concert with them, when, and in what manner, to open to the Mediators this great and considerable Condescension of our Master's, for the common Advantage of the Peace; and

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next, in his Majesty's Name, to pray them, the *French* Ambassadors, if they had it in their Hands to do, on their Part, to come at the same Time at their Master's lowest Word, and so by sacrificing what was possible of their Pretensions, to secure the good Effect we had Reason to hope from our Master's great Moderation in this critical Conjuncture of Councils in *Holland*. If they wanted Orders in this Point, we said the next Thing to desire was, that they would please immediately, without Loss of Time, to send to Court, to obtain them. The Ambassadors answer'd us, the Truth was, they had no Orders yet of going lower in their Demands, than what they declared two Days since to the Mediators, of which your Lordship has an Account in the first Part of this Dispatch; but that they would that very Afternoon send an Express to Court upon that very great Incident, and doubted not but in 5 or 6 Days at the furthest, they should receive new Orders and Directions in that Point, and that proportionably to the great Step his Majesty had made towards the Peace, in this last Condescension. In the mean time, they pray'd us, we would for some few Days forbear the discovering to the Mediators, this new Abatement of his Majesty; being, as they said, extream desirous this great Step might be made by the two Kings, at the same Time and together. We answered, we desired it likewise very much: that our Master had to this End already communicated his Resolution to M. *Colbert* at *London*, in order to the engaging his Most Christian Majesty to make the like Advance on his Part: And that therefore considering Discretion would, that we should first see if the Peace might not be had on better Terms, and that we knew not yet what kind of Resolutions the *Dutch* Ambassadors, who were returned some Hours before from the *Hague*, might have brought with them, upon our first Abatements; we did therefore, at their Instance, agree to defer for some few Days, till a Return might be made them from Court; and not to commnnicate to the Mediators this last Fall of our Master in his Demands, provided no very pressing and important Conjuncture should in the mean time call for it from us; of which we said, we would still communicate with them, and take their Judgment in it. And so the Matter was to remain entirely as a Secret among ourselves, not to have the least Light imaginable of it come to the Mediators, till we had further adjusted, when, and in what manner to apply it. Only the Ambassadors at parting, prayed us to second the Applications they were making to the Court in this Affair, by engaging Sir *William Lockhart* at the same Time, to joyn his Instances with the Ministers, that all imaginable Diligence might be used, in transmitting that King's last and lowest Condescention to his Ambassadors here: Which accordingly we did, in the most effectual manner we could, the Letter having been sent that Afternoon by their Ambassadors Express. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{8}{18}$*th Aug.* 1673.

My Lord,

OUR last was of the $\frac{5}{15}$*th* Current by the Ordinary, the Duplicate whereof we take the Liberty to inclose in this.

On *Tuesday* in the Afternoon, Prince *William* of *Furstembergh*, being newly returned from M. *de Turenne*'s Army, as also from *Mayence* and *Treves*,

Treves, gave us the Honour of a Visit; among other Things, he was pleased to tell us, that the Elector of *Mayence*, had made very earnest Instances with the Emperor, not to march his Forces into the Empire, but that he could not be heard to any good Effect; that that Elector had excused himself from going to *Egra*, tho' he has been thereto very earnestly invited.

PRINCE *William* is still in Hopes that the Emperor will not break with the *French*; for, said he, if he do march into the Empire, he must unavoidably come to a Battle; and the Hazards of that, as this Prince esteems them, will be infinitely greater to the Emperor, than to *France*. Therefore the Emperor, as Prince *William* judges, will be content to find himself in this Posture, and to continue it; since it is most at the Cost of his Allies; it gives him Reputation against the *Turk*, and it gives Weight to the Pretensions of the House of *Austria*, in this Treaty of Peace.

HE further told us, The Bishop of *Strasburgh*'s Correspondent at *Vienna*, had a Project there put into his Hands, which had been agreed on, as it was there given out, between the *Swedish* Mediators and the *Dutch* Ambassadors, since their coming to this Town: In that Project, *France* is to have such Places as may accommodate the Crown of *Spain*, if that Crown shall think fit to make an Exchange of some Places of its own, for those which the *Dutch* shall part with to the *French*: In the same Project, *England* is to content it self with *Surinam*, or some such Places in the *Indies*, none of those Places which it now demands is to come to its Share by this Project; only it may get a Sum of Money into the Bargain. The Bishops of *Cologn* and *Munster* must content themselves with a Sum of Money, nor is it to be any great Sum: This is the Project; which Prince *William* suspects to be a Thing feigned; however hath promised us a Copy of it, as soon as it comes to his Hands.

HE repeated again what he had told us once before it was his Judgment, that the two Kings should have admitted the Elector of *Mayence*, when he offered himself into the Mediation, only they should have joyned with him the Electors of *Bavaria* and *Brandenburgh*, as also the Duke of *Newburgh*, who all three of them would willingly have come in; and tho' some of these might have enclined to favour *Holland*, yet the major Part would certainly have been for the Diminution of it, and would not have concurred with the *Swedes* in the Difficulties they make to obtain a footing for *England* in the *Netherlands*. He enlarged much in Justification of those, who now refuse to joyn with the House of *Austria*; saying, that those who arm against the King of *France*, do thereby give him a fair Pretext to execute his Designs, if he have any, against the Empire: whereas those who do not arm against him, do as much as in them lyes, oblige him to make good that Promise, he hath so often made, of withdrawing his Forces, as soon as he should find himself secured, that no Assistance should come to the *Hollanders* out of the Empire.

THE same Evening, we had a Conversation with the *French* Ambassadors, who gave us an Account of a Letter, which *C. Tott* had received from the *Dutch* Ambassadors, since the Return of those from the *Hague*; by Way of Answer to that Account, which the Mediators had given to the *Dutch* Plenipotentiaries before the Journey to the *Hague*, of the principal Points, which they, the Mediators, believed the *French* would insist upon: Upon which Letter of the Mediators, Messieurs *Beverning* and *Van Haren* made that Journey to the *Hague*.

THIS Letter of the *Dutch* to the Mediators began, as the *French* Ambassadors told us, with a Complaint, that they, the *Dutch*, could never yet know the Cause, why the King of *France* had made this War

upon them; saying, it was grounded upon the *Mauvaises volontez* of the King against their Government; and there were in the Letter Reproaches more than tacit ones, that the *French* had assisted the *Dutch* in Shew only, and without Effect; nay, that they had dealt fraudulently with them in the last War of 66, against the *English*: However, that for the Peace's Sake, they were content to Part with the County of *Zutphen*, at leastwise with great Part of it; and with the Town of *Hulst* in *Flanders*, with its Dependencies. In the Letter there were several little Villages set down by Name, some whereof, the *Dutch* were willing to part with to the *French*, others they reserved to themselves, as also two Miles in breadth all along the *Isselsiden*, within the County of *Zutphen*; but none of these were presently to pass to the *French*, but to remain deposited in the Hand of the *Spaniards*, till an equivalent were found out.

Monsieur *de Chaulnes* declared himself to be very much surprized with the Contents of this Letter, more particularly with that Part of it, which reflected so highly on the King his Master, as if it had been a Manifesto designed for the Justification of the *Dutch* as to the Causes and Occasions of this War: He told *C. Tott*, that tho' he could not but give him a hearing while he spoke, and while he read the Letter, yet that he durst not own to his Master that he had received an Overture of that Kind from the *Dutch*, tho' through the Hands of the Mediators; much less Desire or Admit of any Copy of the Letter itself.

The Count further telling him, that they had such another Letter, which concerned the *English* Ambassadors, it being an Answer to theirs, the Mediators, upon the Communication they gave the *Dutch* of our Master's Demands: The Duke told him, that however they, the *French*, took patiently the harsh Language, wherewith the *Dutch* treated their Master, such Kind of Resentments being, as they said, beneath his Greatness in his own Cause; yet that they, the *French*, very much advised the Mediators to conceal from the *English* Ambassadors those Reflexions which were in the Letter that concern'd them; for that, if the *English* should complain to them, the *French*, of any such Indecency, they must be bound to take their Part, and to resent it more highly to the Mediators, than they had done that which concerns their own Master.

Upon this Occasion, the *French* did with much Earnestness remonstrate to us, how necessary it was for them and us to go Hand in Hand all along in this Business, and to act nothing but of Concert: They likewise advised, that we should be careful not to open the Secret of our lowest Demand all at once, nor with any Precipitation, but that we should do it by Degrees only, and after that the Mediators shall have prevailed with the *Dutch*; 1*st*, To make it appear, that they are not so far engaged in their new Alliances, as not to be able to treat and conclude without them. 2. To make some Steps towards us, in advancing their Offers, as we have already done towards them, in abating of our Demands.

But we still observing, that that *French* have not that Sollicitousness, much less that Anxiety, which our Master has, to clear themselves to the Mediators and the World, by the Reasonableness of their Demands, and by their Forwardness to propound them, that in Case a Peace be not to be had, the Odium and Reproach of continuing of the War may unavoidably lie at the Doors of *Holland*; did think ourselves obliged to let them know, that our Master had judged this Time, while our Fleet is in Action, and while it does not appear that the *Dutch* have determin'd a War to be their Choice, to be the proper Season wherein to communicate to the Mediators, how low he is resolved to go for the Peace's Sake: and we further told them upon this Occasion, as we had done before, upon

upon our opening of this Secret to them, (whereof your Lordſhip has an Account in our laſt) That tho' we were content to expect the Return of their Courier, before we made known to the Mediators our Maſter's laſt Mind, in Hopes they would have the ſame Thing to do on their Maſter's Part; yet that we muſt not defer to execute our Maſter's Inſtructions, while the Application is ſeaſonable; and that we never ſhall be able to anſwer it, if we let paſs that Conjuncture, wherein his Majeſty propoſes one of two Things to himſelf infallibly; either to have an honourable Peace, which yet he does not think of, without the Satisfaction of his Allies, as well as his own; or elſe, to render his Enemies unexcuſable; when all *Europe* ſhall conſider, to which of the Parties the continuing of the War is to be imputed.

In this we were the more plain and preſſing, becauſe we underſtood by a Letter that Sir *William Lockhart* writ to us by the *French* Ambaſſadors Courier, that the firſt Abatements which his Majeſty made, as to the Manner of holding Places, were known at the *French* Court; and that Sir *William Lockhart* had preſſed the *French* Miniſters, that their King might make and declare ſome Abatements likewiſe: This Sir *William* was deſired to do by us, in Aid of the *French* Ambaſſadors here, and at their Inſtance; but he adviſes us, that the *French* Ambaſſadors here, had not been, as he believed, ſo preſſing with the Miniſters, as they had promiſed us to be, to know what Abatements their King would make. However, 'tis certain that the *French* Ambaſſadors gave us no Account of that Effect which Sir *William Lockhart*'s Inſtances, and their own, had had at Court; telling us, the Courier that brought us Sir *William Lockhart*'s Letters, brought them no more than Duplicates of former Diſpatches.

Yesterday the Mediators ſummon'd us to the *Carmes*, and there told us, they had a Letter, which the *Dutch* had written to them in Anſwer to one of theirs, wherein they had given them a View of our Demands; and upon which, two of them had made the Journey to the *Hague*: They told us, that a great Part of the Letter was dry, and not pertinent to the Affair in Hand, it being a Juſtification of their Maſters, as to the Cauſes of this War; therefore they referr'd it to us, whether or no we would not firſt adviſe with the *French*, (who were concern'd in ſuch another Letter) as to the Manner whereby we would receive the Communication of it from them, the Mediators, whether by receiving from them a Copy of the whole Letter, or an Abſtract of it, or elſe by hearing it read all over, or thoſe Parts of it only, which were intended for an Anſwer to our Demands.

Hereupon we did adviſe with the *French* Ambaſſadors, and they appearing to be ſomewhat embarraſſed, how to paſs by thoſe Reproaches, which the Letter that concerned them contain'd againſt their Maſter, and yet reſolved not to reſent them, or take any Copy of the Letter: We thought it moſt agreeable to our Duty, with his Majeſty's gracious Favour, to deſire the Mediators to read to us thoſe Paragraphs only, wherein their Compliance with, or refuſal of his Majeſty's Demands, were ſignified to the Mediators; we telling the Mediators, that we hoped they would not require of us to give a hearing to any Thing that pretended to be a Juſtification of the *Dutch*, as to the Merits of their Cauſe, while we had a Proteſtation depending before them, againſt the *Preface* of the *Dutch* Pleinpouvoir; becauſe it did alledge Matters of Fact, which we cannot admit to be true; and that we had done this, by Orders moſt Expreſs from our Maſter.

The Mediators being herewith very well satisfied, *C. Tott* began with the Flag; in that Section, as far as we could comprehend it by once reading, was offer'd to be declared, the Matter of single Men of War meeting their Fleets; but there was no Provision, that we did observe, about *Yachts* and lesser Vessels carrying the King's Colours: the Section was closed with this, that his Majesty should be suffer'd to explain the Article of the Flag in the Treaty of *Breda*, according to his own Sense.

For the Sum of Money towards the defraying of his Majesty, they saw no Colour to demand it from them, they having given no Cause to this War; but, on the contrary, having suffer'd extreamly by it, and that wrongfully, their Answer was, (*nettement*) that they would not give one Peny.

To the Fishing: Their Answer was, they were in Possession of it, by a Prescription of about 200 Years; they had the memorable Treaty of *Intercursus magnus* (in *Hen.* VII. Time,) on their Side; and they could not think there was any Reason or Justice to disturb them in their Possession of a Custom and Usage, so ancient, and so uninterrupted as this was: but however, they were content nothing should be said of that Matter in this Treaty.

To the Reglement of Commerce, they were content there should be one treated of in such Place, and in such a Manner, and at such Time, as should be agreed on; but they would have it provided, that the Treaty should be free, and the Terms reciprocal, and that the Parties concerned should neither before nor after such Treaty, be at Liberty to be their own Carvers; to use Violences, or have Recourse to the Way of Arms.

Here we took Occasion to tell the Mediators, that tho' we should be content to remit the Regulation of Commerce in general, by an Article, to some other Time and Place; yet that his Majesty's Subjects had so great Grievances given them in the *East Indies*, that they must be presently provided for, or else one main Cause of the War will remain still unremoved; that therefore we must, in this Treaty, offer something by Way of Redress, which should be in few Lines, and should be according to the Measure, (still approved of by the Mediators) reciprocal to the *Dutch* as well as to us.

The Matter of *Surinam*, they said, was a Thing already perfectly settled by the Treaty of *Breda*, and executed beyond Exception on their Part.

As to the Prince of *Orange*, there was so perfect a good Understanding between the States and him, that they had express Orders from his Most Serene Highness, not to admit any such Article to be treated of.

As to the cautionary Towns; their Words were, that they were exceedingly surprized at that Demand; and the rather, in that God Almighty had not hitherto given any Advantage to his Majesty's Arms against them: That this being the third War that has been made upon them, since the Year 53; the *English* being always the Aggressors, and in the Wrong; they had Reason to expect the strongest Guaranty possible from his Majesty: but there was not the least Colour to demand Security from them, who had been always exact in observing their Treaties.

They closed with a Kind of an Appeal to the Mediators, telling them, they expected it from their Justice to be drawn out of the present Embarrass, by giving them a speedy Peace, such as the Goodness of their Cause did deserve; but if that could not be, they left it to the Mediators, and the World, to bear Witness to the great Candour of their Lords and Masters, the States, in making such Offers for Peace's Sake: which

Offers they desired might be understood to be retracted, and go for nothing, in case the Peace should not be concluded.

This, My Lord, is the exactest Account we are able to give, of that which *Comte Tott* read to us out of their Letter; we had not the Letter at all in our Hands, nor did we look into it, only we could perceive that it consisted of six Leaves in Folio, written on both Sides: *Comte Tott* began to read at the Bottom of the *4th* Leaf, which makes us conjecture, that the foregoing Part was all upon the Theme of justifying themselves; and the rather, in that the Mediators told us, the *Dutch* had given them in their Hands, at their first coming hither, an Answer to his Majesty's Declaration against the *Dutch*, in the Beginning of the War: Which Answer, the *Dutch* pretended they did forbear to print, out of a Respect to his Majesty, and to prevent further *aigreurs*.

The Mediators were pleased to observe to us, several Things in this Conversation; *First*, that the *Dutch* Ambassadors spoke higher, than they had done before their going for the *Hague*; which, together with other Circumstances, makes the Mediators suspect very much, that the Measures are already taken for continuing the War: Therefore they pressed us earnestly to come to our *dernier mot*, with the soonest possible, and to bring on our Allies, (for they are pleased to allow us to be still the most forward of all) that the World may see the *Dutch* have refused a Peace upon reasonable Terms: Another Thing was, that the *Dutch* Ambassadors do declare, that they have express Orders not to make any further Steps or Offers, till the two Kings and their Allies do come yet lower on their Part.

The Mediators did intimate to us very plainly, that the Prince of *Orange* is against a Peace, and that there is but a Week or a Fortnight at most, left to be imployed in preventing a general Combustion; that they, the Mediators, desire nothing more passionately, than to have Arms put into their Hands, by which they mean, as they explain'd themselves, reasonable and moderate Terms; then will they be able to demand a Peace with Confidence, both from the *Dutch* and the Emperor; and their Words will have Weight in them, not only from the Reasonableness of the Demands, but likewise from the *Swedish* Army of 17000 Men effective, which they have now in all Readiness possible, and their King (a Prince ambitious to shew himself to the World) being at this Time within one Day's Sail of them, will probably appear in the Head of his Army: And then the Emperor, and others concern'd, will hearken to Propositions of Peace, with more of Concern than now they seem to do.

Thus the Conference ended.

Upon the whole Matter, whereof we have no more to say, but that the *French* having desired us to stay a few Days, till their Courier do return, we will, with his Majesty's gracious Favour, wait one Day or two longer before we do communicate his last Condescensions to the Mediators: And then we shall close with all Opportunities to execute his Majesty's Commands in this great Point, as we shall find them arise to us: In the mean time, we shall press the Mediators to get out of the *Dutch* the best Terms they have in their Power to grant us, in order to make his Majesty's Bargain the better, and give your Lordship an Account of every Thing that occurs. We are, *&c.*

To

To Sir *William Lockhart.*

Cologn $\frac{8}{18}$*th Aug.* 1673.

SIR,

OUR last was of the $\frac{4}{14}$*th* Current, since which we have the Favour of yours of the $\frac{1}{11}$*th* to acknowledge.

YESTERDAY we had our first Assembly at the *Carmes*, since the Return of the two Plenipotentiaries from the *Hague*. The Mediators acquainted us, that the *Dutch* Ambassadors had written them an Answer to that Letter, wherein the Mediators, before the Journey for the *Hague*, had given them an Account of our Master's Demands.

THEY did not shew us the Letter, nor did we desire to see it, in regard it contained, as the Mediators told us, the Arguments at length, whereby they pretend to justify themselves, as to the Merit of their Cause, in this War. The Mediators read to us their Answer upon our principal Demands, which, in regard it is not, as the Mediators tell us, their last bidding, but that they will come nearer yet, we cannot think worth your Notice, only we must tell you, every Period was full of that Stiffness and Insolency, wherewith that People have treated our Master all along.

THE Mediators were pleas'd to observe to us, that those Ambassadors are now much more high and fier in their Discourses, than they were before this Journey to the *Hague*; insomuch that the Mediators do fear, that the Measures and Resolves are already taken to continue the War: which is so much the more probable, in that (as they, the Mediators, tell us) the Prince of *Orange* and his Party are absolutely against the Peace.

Another Thing the Mediators tell us, that those Ambassadors do own, they have express Orders not to make any further Step or Concession, than those they have already made, till the two Kings and their Allies do come yet lower in their Demands.

THE fresh Instructions we have, as we acquainted you in our last, being compared with these Remarks upon the *Dutch*, we find ourselves obliged to communicate with the Mediators, our last and lowest Demands, with the first Opportunity.

WE therefore went this Day to the Ambassadors of *France*, to tell them, that our Master having judged this to be the critical moment, while the Fleet is in Action, and while the *Dutch* (for ought appears) are yet at Liberty to declare either for a Peace or War, as they see Cause: And therefore, that we desired them to joyn with us, in giving their Master's *dernier mot* likewise. They tell us now, as they did before, that they do *charger à Balle* when they write, for that their Master, in a Time when the Emperor is marching, and *Spain* is ready to come to a Rupture, would not be seen to shrink, or to come lower in his Pretensions; he will yield, they say, to any Thing, in Consideration of the King of *England*, but nothing at all upon any other Account: They pray us therefore, still to be very earnest with you, SIR, to press this Affair, and to do it home to the King in Person. But they desire it may not appear to be done at their Instance, *cela leur fairoit des affaires*; besides that, the Ministers there are apt to interpret all such Overtures from the Ambassadors here, as an Effect of their Ambition, to have more and more of this Affair in their own Hands and Power.

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However, Sir, we assure ourselves, that his Majesty hath communicated to M. *Colbert* in *England*, all his Thoughts and Designs in this Point, and laid before him the Plan upon which he goes; and we doubt not the like is done to you by my Lord *Arlington*'s Hand. We therefore promise ourselves, that you will be hearken'd unto, with all Respect, in what you press upon this Point. We, on our Part, are resolved, as we told the *French* Ambassadors this Evening, to lose no Time, but to close with the first Occasion, to impart to the Mediators, our Master's last and lowest Word: And we doubt not, you will be able to justify us in that Court; since we hope hereby to gain one of two Things infallibly; either to make a happy Peace, or else to render our Enemies inexcusable: Whereas if we let pass this present Juncture, the Fleet will not be able to stay out at Sea to countenance us, and some will be apt to say, (when the Parliament assembles in *October* next) that the Conditions which his Majesty held the *Dutch* at, were more intolerable than a War.

So that upon the whole Matter, as we have yielded to the *French* to stay 7 or 8 Days (5 or 6 whereof are already gone) before we will communicate this last Secret of our Master to the Mediators, in hopes they, the *French* Ambassadors, shall have full Orders to do as we do, with the Return of their Courier: So, in case no Answer or Orders come, we cannot, nor will not stay any longer. We must and shall give his Majesty's *dernier mot* to the Mediators. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{11}{21}$*th Aug.* 1673.

My Lord,

THE last we presumed to trouble your Lordship with, was of the $\frac{8}{18}$*th* Instant, by the Ordinary of that Day, a Copy of which goes here inclosed.

Since that, we have the Honour of your Lordship's of the $\frac{4}{14}$*th*, and acknowledge with all Humility, his Majesty's Goodness in forgiving so graciously the Failures and Mistakes, we are sensible we may have committed in this great and weighty Service; beseeching your Lordship's, and my Lords of the Committe's Protection, to preserve us still in his Majesty's Grace and Favour; to which we find we shall have need to recur in (almost) every Step we make in this difficult Negotiation.

Your Lordship will have seen, by our two last Dispatches, the Pain we were in how to govern ourselves aright, and to his Majesty's Satisfaction, in the Execution of his Majesty's additional Instructions of the 28*th* past. We had presumed, at the Desire of the *French* Ambassadors, to forbear the imparting it to the Mediators, some few Days, till they, the *French* Ambassadors, could receive Orders from the Court, to make a proportional Step at the same Time with us; and yet we could not but apprehend the present Conjuncture of Councils in *Holland* so critical, that the Loss of a Day in making his Majesty's Condescension known to the States, and the People there, might be of great Danger on the other Hand: And therefore reckoning every Hour we had thus allowed the *French* Ambassadors, we took Occasion, particularly on *Friday* Evening, to let them know, we began to think the Time long till this last Secret of our Master were in the Mediators Hands, to be made Use of, as they shall find Occasion to call for it, to our Master's

best

best Advantage, for the Ends his Majesty proposed to himself in it; to wit, either to oblige the States to come to a Peace, or, if they should, after so great Condescensions, still continue obstinate in the War, to lay the Fault and Reproach of it notoriously at their Doors; giving them to understand, that after two or three Days more, if they receiv-ed nothing from Court as to that Point, we must, on our Part, think of executing our Master's Commands in it, which we told them, we would however, according to our Orders, first communicate and advise with them in. And thus far we had thought best to prepare them in all Events, not knowing, but that indeed we might have been obliged to have made this Step at last without them. On *Sunday* the $\frac{10}{20}$*th* Instant, early in the Morning, the *French* Ambassadors sent to desire an Audience before Dinner, upon a Courier they had receiv'd from Court: Accordingly at half an Hour past ten they came, Monsieur *de Chaulnes* told us they had to entertain us,

1. *First*, With an Express they had receiv'd from Court last Night; which was, That their Master having understood, by a Courier from M. *Colbert*, their Ambassador at *London*, what we had already imparted to them, the Ambassadors, that the King our Master, in order to the Peace, and (as they worded it) for the preventing those *Mouvements*, that might otherwise happen upon the meeting of the Parliament, he found it necessary wholly to depart from the Article of Places; the King their Master, as well for his own Justification in this Conjuncture, as more especially to comply with whatever the King of *England* should judge to be his Interest, had ordered them to declare to us, that he was willing to make a Step on his Part, proportioned to that our Master had made on his; and accordingly that he would, out of the last Equivalent they had some Days before made to us, instead of *Lillo*, *Berghen op Zoom*, *Wilhelmstadt*, and *Sevenberghen*, which was the Town and Island of *Bommel*, Fort St. *Andre*, and *Crevecœur*, the small Island of *Voorn*, the Town of *Nimeguen*, and that Part of *Guelderland* which lies between the *Waahl* and the *Meuse*: That out of that Equivalent, their Master would now abate the whole Island and Town of *Bommel*, and the Town of *Nimeguen*, which, as they said, were the main Pieces of it: This they said, their Master had bid them declare to us, he was willing to abate out of the Equivalent, which he looked on as a great Step on his Part, and which they gave us to understand, he would not have been prevailed with to have done for any Consideration, but that he found the Peace was useful to our Master.

2. They told us, their *Second* Point was, to advise with us, how to manage this towards the Mediators most usefully, to the Ends their Master had intended it; which was, to serve the King our Master towards the obtaining of the Peace, in the Way he himself could desire; and therefore their Question to us was, what we would advise they should do, whether immediately to communicate it to the Mediators nakedly, as their Master sent it to them, in order to the imparting it to the *Dutch* Ambassadors; or whether to press first the Mediators, to draw from the *Dutch* Ambassadors, the utmost of what they have in their Hands to answer to the Demands of each King, before so considerable a Step as this be made on the Part of the two Kings; which, it is to be feared, after so presumptuous and insolent a Declaration, as the *Dutch* Ambassadors have now made upon their Return, through the Hands of the Mediators, might seem to harden them the more in their Arrogancy: Or finally, whether, as a middle to these two, they should put

put it into the Hands of the Mediators, as a Secret of the last Confidence; to be used towards the *Dutch*, as they, the Mediators, should, in their Discretion, and according to the Care they owe to the Interests of the two Kings, find most useful to the making the Peace, upon the best Terms they could for them. One of these three, they told us, they thought must be resolved on; and because what their Master had resolved in this Point, was purely in Contemplation of what the King our Master had seem'd to think necessary for his Affairs, they judged, whatever they declared, and in what Manner soever they declared it, was to be with the same View and Prospect. Therefore they pray'd us, to consider which of these Ways should be most to our Minds; and whatever we would have them do, they would do it.

Upon this, we went aside, and came to an Opinion,

1. That without any Difficulty, a Communication in some Kind was to be immediately, without Loss of a Moment, given to the Mediators, as well by the *French* Ambassadors, of this Abatement of the *French* King; and, in the first Place, particularly by us, of our Master's great Condescension, in wholly departing from the Article of Places; because the first and great Effect hop'd from it, *viz.* The preventing of a fatal Engagement in new and unalterable Measures with *Spain* and the House of *Austria*, depended upon its being apply'd in Season, early enough before such an inseparable Engagement with *Spain* and the House of *Austria* were finally consummated; which, by all we can judge, is very nigh the Point, if not already done: Therefore some Light at least of these great Abatements of the two Kings, was immediately to be given through the Hands of the Mediators.

2. In Regard our last additional Instructions of the 28*th*, leaves it with us, upon a discretional Point, wholly to recede from this Article of Places; *i. e.* if the Peace cannot otherwise be had; we were a little anxious how far to use this Liberty, of trying to get a Peace upon better Terms; and whether, in Hopes of either drawing more tolerable Answers, first from the *Dutch* Ambassadors, or the engaging the Mediators to speak a little plainer to us upon the Point they had so often solicited us; to wit, of admitting some Kind of Equivalent, in Consideration as of a farther Sum of Money, Places, or Things in the *Indies*, &c. in lieu of Places. Our Doubt was, how far, upon the Latitude left in our Discretion, we might safely, for some short Time, defer the speaking out the very utmost of our Master's Mind to the Mediators, nakedly as it is couched in the Instructions, in Hopes of making a better Bargain at last. In this Deliberation, we took for granted, that what Conjurations soever we might use to the Mediators, and whatever Protestation they might return to us, of their keeping our Secrets, yet we concluded the Opinion they seem really to be of, of the low Condition of *Holland*, together with the Jealousy we think we have Reason to believe they have, of our Master's gaining too much to his Greatness at Sea by this Peace, will make it impossible they should husband this Secret for us, as might be desired; but that indeed we must expect to be brought to fall in the End as low as ever we now discover to them, we should be willing to go, rather than loose the Peace; and therefore having consider'd of it the best we could, we came to a Resolution, That the very utmost Word was to be spoken out to the Mediators forthwith, as well by the *French* Ambassadors as by ourselves, in Confidence they would make the best Use of it for the Advantage of the two Kings in the Peace. And we desired they

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might be done even this very Morning, before the Arrival of the Post from *England*, *Flanders* and *Holland*; least if, after any cross Accident should have happen'd at Sea, upon any false, disingenuous Representation of what had happened more favourable, (as in all Probability we were to expect by the Way of *Holland*, be our Success really what it will) we should then come to make this Fall, it would then lose its Merit towards the Mediators and the World, and serve to make the *Hollanders* yet the more presuming upon us in the future.

WE returned with this Opinion to the *French* Ambassadors, who readily joyn'd in it, and accordingly, with their Concurrence, we immediately went to the Mediators, where the Ambassadors having of themselves lead us into the Discourse of the present Posture of Things on this side, the obstinate Resolutions they found, by their last Letters, the Emperor was in, to interpose with all his Force to the saving of *Holland*; and how short a Time was left, 8 or 10 Days at the most, as they told us, to divert that fatal Council that was now closing with in *Holland*, of throwing themselves irrecoverably into the Alliance of *Spain* and the Emperor, we took this Occasion to mind them how great Condescensions our Master had used on his Part, upon these Considerations, and at their Instance, by the Abatements we had declared on his Majesty's Part some Weeks ago in the main Point of Places, and that even before the *Dutch* had given him the least Incouragement to it, by any Degree of good Disposition on their Part: This they own'd very readily and frankly: upon which we proceeded to tell them, that we were now come in Confidence, and as a Mark of that entire Reliance our Master had on the Friendship of the Crown of *Sweden* in this whole Negotiation, to let them know our Master's great and utmost Secret in the Business, which was, that taking for granted that the King our Master were complied with in the other principal Points of his Demands, which we again repeated Head by Head to them, laying an express Emphasis upon the whole Million Point, and that of the Establishment of the Prince of *Orange*, as Hereditary Stadtholder, *&c.* and that instead of the *English* Inhabitants being discharg'd the Colony of *Surinam*, as we had at first propos'd it, the Country it self be restored to his Majesty; supposing these main Points to be agreed to by the *Dutch*, in the Terms we heretofore propos'd them, his Majesty, to shew the World and them, the Mediators, in the first Place, how sincerely he desired the Peace, and how little he ever sought or intended the Ruin or Destruction of *Holland*, was willing, if the Peace could not otherwise be had, wholly to depart from the main Article of Places, and to hearken to any equivalent Compensation or Consideration, which could be proposed to his Majesty, to stand in some Sort in lieu of that Article. As for Example, a further Sum of Money, Places or Things in the *Indies*, or what else of that Nature could be found out to propose to his Majesty; which was a Thing, we put them in Mind, had been frequently pressed to us, by them the Mediators. This we told them was our great Secret, and which we were order'd thus to lodge in their Hands, in Confidence of their Care, to use it to the best Advantage for the Success of the Peace, and the bettering his Majesty's Interests in it.

WE added, that the Most Christian King having understood from his Ambassador in *England*, this great Condescension of our Master in that main and principal Point, had by his Majesty's Example, and at his Instance, been prevailed with to make, on his Part likewise, a very considerable Step, which we told them the *French* Ambassadors would in a few

Hours

Hours communicate to them; and ſo we left them infinitely joy'd at the Declaration we had made, and full of Veneration for his Majeſty's wonderful Moderation and Condeſcenſion; proteſting they would uſe the Secret we had left with them, with all imaginable Care and Circumſpection, for his Majeſty's beſt Advantage.

In the Evening, we found the *French* Ambaſſadors had likewiſe communicated to them their new Abatement, and both we and they thought fit immediately to acquaint the reſt of our Allies; that is, the Miniſters of the Elector of *Cologn* and Biſhop of *Munſter*, with what we had done, as well to comply with what we owe their Friendſhip and Alliance, as to prepare and diſpoſe them, on their Parts, to make proportionable Abatements, when called upon by the Mediators. We are expecting, when and what Effects will appear upon this laſt great Moderation; one we think we already find very evident from it, to wit, that we have gain'd very conſiderably upon the Minds and Inclinations of the Mediators; ſo as we believe they will now work in good earneſt for us. God Almighty bleſs it with a Succeſs anſwerable to the great and gracious Condeſcenſions his Majeſty hath uſed, to a People that have hitherto deſerved it ſo little from him. We are, &c.

To the Earl of *Arlington.*

Cologn $\frac{15}{25}$*th Aug.* 1673.

My Lord,

The laſt we had the Honour to write to your Lordſhip was of the $\frac{11}{21}$*th* Current, by the Ordinary, the Duplicate whereof goes herewith incloſed. We have ſince had a Meeting at the *Carmes*, it was on *Wedneſday* the $\frac{13}{23}$*th*: The Mediators began their Converſation with us there, with a very ſad Complaint, of the Anxiety, or rather Deſpair they were now under, in relation to the Succeſs of this Treaty: The Reaſon they gave for it was, the Haughtineſs and Obſtinacy they met with in the *Dutch* Ambaſſadors; (from whoſe Appartment they were juſt then come to ours) for they found them (as they expreſſed it) ſtill more and more fier, rude, and untractable: Their Way and Deportment being quite another Thing, than it was before the Journey that two of them had made to the *Hague*.

One Inſtance of their Untractableneſs they gave, which related equally to the whole Alliance. It was, they own a Reſolution of not making any further Offers, till the two Kings, and their Allies, do come yet lower in their Demands than they were; after we had declared his Majeſty's firſt Abatement, how he would content himſelf with having Garriſons of his own for a Term of Years in two of their Places: And when the *French* had laid aſide their Pretenſions to *Lillo*, *Berghen ap Zoom*, *Sevenberghen*, and *Williamſtadt*, and to accept of an Equivalent in other Places leſs incommodious to the *Dutch*. Another Inſtance of their Refractorineſs and Height was, as the Mediators repreſented it, in a particular Concern of our Maſter's. For the Mediators conceiving the Article for reimburſing his Majeſty with a Sum of Money, for his Expences in this War, to be one of the eaſieſt Points to be gained from them, enter'd into a Debate with them upon it; but found them ſo ſtiffly bent, and ſo poſitive and forward in declaring they would not part with one Peny of Money upon that Account; that they, the Mediators, could not, as they ſaid, think fit to give them any View of his

Majeſty's laſt Condeſcenſions, of departing wholly (if need be, and if a Peace could not be otherwiſe had) from his Demand of Places; they only told them, (as C. *Tott* repeated it to us) that they had ſome Hopes his Majeſty would be prevailed with to hearken to ſome further Overture, in order to accommodate that great Point of Places, rather than that his inſiſting upon it finally, ſhould be made and ſerve for a Pretext to break off this Treaty, and to continue the War: But that the Anſwer which they, the *Dutch* Ambaſſadors, had lately given in, (meaning their Letter to the Mediators upon the Subject of his Majeſty's principal Demands, as they had been intruſted with the Mediators, of which Letter, by our Diſpatch of the $\frac{8}{}$*th*, we gave your Lordſhip the beſt Account we have been able) was ſuch, that they cannot expect any further Facility in the *Engliſh*, where they find ſo little of Compliance in the *Dutch*.

The Mediators cloſed up this Converſation with a Requeſt to us, it was, that we would go on and treat the main Points of our Demands, Article by Article, with the *Dutch*, that the Mediators might thereby ſee how near the *Dutch* and we may be brought the one to the other; and not that they deſired, as they ſaid, we ſhould come at this Time to the wording of any Article, but that the Mediators might, by this means, inform themſelves, wherein the Difficulties would chiefly lie, and conſequently, what Points would moſt need their preſent Application; intimating alſo, that they were not without Hopes, but that we had ſtill ſome little Circumſtances to yield up and ſacrifice (if need were) to the Merit of making this Peace. To this we anſwered them, that as they had preſſed us with great Earneſtneſs to obtain, if we could poſſibly, from his Majeſty, a Declaration of his *ultimatum*, (that is the Word here) ſo his Majeſty had *bona fide* tranſmitted it to them, as his very laſt and loweſt Demands; and we thought ourſelves obliged to let them underſtand plainly and expreſly, that his Majeſty was not come to thoſe Condeſcenſions about Places, but upon Condition, that the reſt of his Demands would not be in the leaſt diſputed to him; but granted entire, as we had laid them before the Mediators, at our firſt opening this Secret, and as we repeated them Point by Point in this Converſation. And as to our coming to treat Article by Article, we told them, that the ſooner we had a Categorical Anſwer to each Point from the *Dutch*, the better it would be for us; in regard our Maſter would thereby know what he was to truſt to; and all the World would ſee, whether it was to his Majeſty, or to the *Dutch*, the continuing of the War was to be imputed; but that it was not his Majeſty's Mind, his *ultimatum*, now intruſted with the Mediators, was to be made the ſubject matter of chaffering and diſputing, in order to gain further Abatements in thoſe Points.

The Mediators being gone, the *French* Ambaſſadors were pleaſed to communicate to us, what had paſſed between them and the Mediators, it was briefly to this Effect; That the Mediators had complained to them, the *Dutch* were ſo intolerably high and ſtiff, that they had not thought fit to give them Part of the King of *France*'s Abatement; that the Mediators had, notwithſtanding this Untractableneſs in the *Dutch*, preſſed them, the *French*, very much, to think of ſome Equivalent, ſuch as *Spain* would be able to give for thoſe Places, of which the *French* demand a Ceſſion to be made them by the *Dutch*. That to this they had anſwered the Mediators, that the firſt Thing to be done, was for the *Dutch* to declare themſelves ready to make a Ceſſion of the Places; That it was too early, and altogether to no Purpoſe, to talk of exchanging

Places

Places with *Spain*, while it did not appear in the least, that the *Dutch* would consent to the Cession proposed, or that *Spain* would be brought to make any Exchange of those Places when the Cession were made: That this was the more to be doubted, in that *Don Emanuel de Lara* had declared, not long since, that he and the Plenipotentiaries of *Spain* had no Power to treat of any such Matter: That he knew not whether the Count *de Montercy* has any such Power; and the utmost that he could promise was, that he would write into *Spain* about it. However, the *French* told the Mediators in Confidence, that as soon as ever *Holland* would assure them, they were ready to make the Cession of Places demanded; they, the *French*, would hearken to any Equivalent that should be offer'd them otherwhere. The Bishop of *Strasburgh* being likewise at the *Carmes* told us, the *Dutch* would give the Elector of *Cologn* nothing but *Rhynbergh* back again, and the Bishop of *Munster* should have nothing at all; the *Dutch* alledging that they have very great Pretensions against him upon the Score of the former War, as well as this.

The Bishop of *Strasburgh* and his Brother Prince *William* are very uneasie, in that the *French* Ambassadors and us have not communicated unto them our respective Abatements, before we gave them in to the Mediators; and that we do not concern ourselves in the Demands which the two Bishops are likewise to make; it being their Sentiment, that all the Allies should put their Heads together, and judge of each other's Demands; and where they find any exorbitant, that they should moderate them; and those that should be jointly approved of, should be jointly delivered unto the Mediators. Prince *William* is so perpetually upon this Theam, that he discovers in himself a great Jealousie (tho' we hope a very causeless one) of the *French*, as if the two Bishops were in danger of being left by them in the Lurch. We, for our Parts, have used this Conduct towards those that are for those two Bishops, to communicate to them all Things as they pass between us and the Mediators, assuring them it is our Master's Command to us, to stand by and support them in their Pretensions, and to labour for their Satisfaction, as well as that of our own Master's, wherewith they seem to be very well satisfied.

Since the Meeting at the *Carmes*, M. *Ehrensteen* gave us a Visit, wherein he discover'd very much his Fears of the Success of this Treaty, and his Dissatisfaction with the Haughtiness of the *Dutch*: He protested, that when we first open'd to him and his Colleagues, our Master's last Secret (about Places) the Tears came in his Eyes for the Joy and the Hopes he had, that it would dispose his Majesty's Allies to the like Moderation, and the *Dutch* to embrace a Peace upon those Terms, rather than plunge in an immortal War.

The Mediators have all of them severally declared, they have all the Satisfaction possibly in his Majesty's Condescensions, and in the Seasonableness of intrusting them to the Mediators; and if their Application in using them have not that good Effect as is to be wish'd, they attribute it to that Ascendant which the *Spaniards* have at this Time over the Prince of *Orange* in his Councils, and an ill Fate over these Ambassadors, whom they (the Mediators) do not stick to call Fools and *Stutis* upon all Occasions: M. *Ehrensteen*, after his usual manner of Arguing against our Demands, (in order, as he says, to inform and fortifie himself) fell upon two Points only (the Fishery and the Prince of *Orange*) in this Conversation: For the Fishery, it was his Observation, That these Ambassadors, before the Journey to the *Hague*, would have made no great Difficulty to acknowledge his Majesty's Right, only they would have struggled hard to redeem the Annual Imposition, by the Payment

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of one entire Sum of Money; but now they are, as far as can be imagin'd, from any such Thoughts.

He gave us three several Reasons, wherein the *Dutch* do think themselves very much fortified against our Pretensions for the Prince of *Orange*; the one is, that such a Disadvantage ought not to be put upon the States, as to make their Stadtholder Hereditary, since by that means the Office may come, in time, to be devolved upon an Infant, or a Person otherwise insufficient and uncapable. 2. That it is hard for a Government, altogether independent of us, to have its Constitution alter'd by such a Law, as we think fit to give them: and the harder, in that the Prince himself disowns our meddling therein. 3. That the present Prince, being of the Blood Royal of *England*, some hereafter descending of him, may come to inherit that Crown; and consequently, that the United Provinces may come to be no more, than a perpetual Appendix to the Kingdom of *England*.

We mention these Arguments, not for any Force we find in them, but for the Difficulty that appears of executing your Lordship's Instructions to us, of applying ourselves to those among the Ambassadors, that are most devoted to the Prince of *Orange*, and intrusted with his Secret: For if his Highness be (as he is universally believed here to be) against a Peace, those that have his Secret will think of nothing less, than of joyning Councils with us, in procuring his Establishment by this Treaty.

As we were closing this Dispatch, we were summon'd to a Conference at the *Carmes*, where we found only the *French* Ambassadors, and the Deputies of *Cologn* and *Munster*: For the Mediators had to acquaint us, that they had been repeating new Instances to the *Dutch* Ambassadors, to come nearer to Reason, as to our Demands; but without any Success: Nay, they told us plainly, by the Air they saw the *Dutch* were of, in all they said and did now, they, the Mediators, were apt to believe, they were too far engag'd already, to be able to close with a Peace; and they were the more confirmed in their Belief, in that the *Dutch* Ambassadors had this Morning, very formally called upon them for an Answer from them, the Mediators, to the two Papers they had delivered them, in Answer to that which they, the Mediators, had written upon the Subject of our Demands, and those of *France*; which, say the Mediators, looks as if it tended directly to a Breach of the Negotiation: Upon the whole, the Mediators having left this Proposition of the *Dutch* Ambassadors, for an Answer to us to consider of with the *French* Ambassadors, concluded, that since Things looked so like a Resolution, if not a Pre-engagement on the Part of *Holland*, to break off the Negotiation of Peace, and to pursue the War: That they had once again humbly to pray his Majesty would think of what possible further Abatement he could make, to ease the Points of his Demands, especially that of the Reimbursement of Expences, and by that Means to put the *Dutch* yet more notoriously in the wrong, in the indifferent and middle Part of the World; and this to be therefore the rather done, the less Hopes or Likelihood there is, as far as they can yet judge, that the *Dutch* will now by this, or indeed by any Condescensions in the Power of the two Kings, be brought to make the Peace. And this they have obliged us to lose no Time to represent to his Majesty, because seeing so little Appearance of attaining the first End his Majesty proposed to himself in his Condescension, (which they acknowledge upon all Occasions, to be very great and gracious) *viz.* the Peace; they, the Mediators, are very sollicitous that his Majesty may not fail of the *second*, that is, a full and clear Justification of himself from the

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Blame of having been the Cause of the Continuation of the War, but that the Guilt of that may lie notoriously at the Doors of the *Hollanders*. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{19}{29}$*th Aug.* 1673.

My Lord,

SINCE our last to your Lordship, by the Ordinary, of the $\frac{15}{25}$*th*, a Copy of which, we take leave to send herewith, we have received the Honour of two of your Lordship's, (of the 8*th* and 11*th*, *O. S.*) for which we return your Lordship our most humble Thanks. In the first, your Lordship is pleased to give us an Account of his Majesty's Desire, signified to the *French* Ambassadors, that the *French* Plenipotentiaries here, may have Order from their Master to joyn with us, in demanding from the *Dutch* Ambassadors a catagorical Answer by a Day prefixt, to the Demands of the two Kings, upon the Conditions of the Peace; with a Signification of his Majesty's Pleasure to us, if we found a Disposition in the *French* Ambassadors to concur with us in such a Proposition, to promote it on our Part.

In Obedience to which, we did this Morning desire an Audience of the *French* Ambassadors, where we imparted to them the Orders we had received from the King our Master in that Point; and found them in their own Reason, in Virtue of their general Instructions, (which they think wou'd Warrant them enough to do that) satisfied and disposed to make that Step with us, whenever it shall be thought proper: But considering that his Majesty had already remanded it by M. *Colbert* to the King their Master, and that they had not at present any particular Orders for such a Step, they desired Time to hear from Court, upon what had been written by their Ambassador at *London* in our Master's Name in that Particular; which, in 3 or 4 Days at most, they hoped to receive; in the mean Time, while we are expecting these Orders, because we had found by the Account the Mediators gave us, what had passed of late between them and the *Dutch* Ambassadors, that they, the Mediators, finding the *Dutch*, upon the Return of Messieurs *Beverning* and *Haren*, so absurdly insolent, and peremptory in their Carriage; and indeed much more averse, as they told us, to Reason, than before those two went hence for the *Hague*; they, the Mediators, had forborn expresly, and in Terms, to impart to them the last Condescentions of the two Kings; because, as the Mediators told us, they did not judge, that in the arrogant Humour they then found the *Dutch*, it would have at all further'd the Peace, but rather serv'd to harden them the more, not but that they had, as they said, sufficiently intimated it to them; but not spoken it quite out in express Terms: Considering the Matter rested thus, we were a little doubtful, whether the Mediators had carried this Point yet far enough, so as to secure to the two Kings the End they purposed to themselves from their last and great Condescentions; which was, in Case a Peace could not be compassed by it, yet it should at least be made notorious to the World, that the Fault was to be charged upon the *Hollanders*, and that nothing imaginable had been omitted on the Part of the two Kings for the procuring a Peace. This is the Point we now think we ought to be most careful of, and therefore we took this Occasion to offer it to the *French* Ambassadors, whether it would

not be well forthwith to speak expresly of it to the Mediators, to the End, either that we might be satisfied from them that they have already communicated those last and great Abatements of the two Kings to the *Dutch* Ambassadors, so far and so sufficiently, as finally, in the Judgment of the Mediators, to justifie our Master's, and to leave the *Dutch* notoriously answerable to the World, in Case they refuse the Conditions as now moderated: Or, if we did not find this were yet sufficiently done by the Mediators, then, without a Moment's loss of Time, to call upon them immediately to do it. The *French* Ambassadors seemed very sensible of the Importance of this Matter, and therefore, with their Opinions, we agreed each of us apart to see the Mediators upon this Occasion. We took the first Handle and went presently after Dinner; and tho' the Mediators gave us for Answer, that however they had but imperfectly intimated the Condescentions of the King our Master in this great Point of Places, by saying, that they had had Hopes that the King of *England*, if he had been complied with in the principal Points of his Demands, would have been prevailed with wholly to have gone off from that of Places, *&c.* yet that they were satisfied the Matter had been sufficiently intimated to them, to leave them notoriously in the wrong, in Case they refused the Conditions; and that they, the Mediators, had thereupon proceeded to tell them most expresly and solemnly, that in Case they did, after these Condescentions on the Part of the two Kings, refuse the Peace, they must declare to the World, they were the Cause of the Rupture, and of all the Consequences of it; and that *Sweden* should be obliged immediately to make good its Engagement against them as such; so far the Mediators said, they understood the Conditions of the two Kings to have been already notified to the *Dutch*; as that they the Mediators went thus far in their Declaration upon it.

But yet considering the great Weight they find us put upon this Matter, and the Anxiety we appeared to be in, that it should be throughly and effectually done; they resolved this Morning to take an Occasion to speak it out to them in express Words; and to add, that they had had it intrusted in their Hands by the two Kings now fifteen Days, in which Time they had not been wanting sufficiently to intimate it to them, so as to leave them without Excuse, in Case they should persist in their Refusal of Peace on the Terms offered by the two Kings: We found the Mediators of an Opinion, this was more than was necessary; but in a Circumstance of so great Weight and Consequence to the Success of this Negotiation, we were desirous rather to err on this Hand, and even to overdo it. In which we most humbly beg his Majesty's Pardon for what we may have been mistaken.

The King of *France*, finding that he has not been able, by all the Instances and Application he has hitherto made, by his Ministers at *Vienna* and *Ratisbone*, to divert the Emperor from his Resolutions, of assisting the *Hollanders* in this Quarrel, but that he does really intend to march his Forces towards the *Rhine*; the King begins to think now of other Arguments, and to call in good earnest upon *Sweden* to speak in the Matter; having, besides what he has said in *Sweden* by M. *de Feuquiers*, and to M. *Coningsmark* the *Swedish* Minister in his Court, thought fit to write a formal Letter to the King, such as may be fit to be seen abroad in the World; (a Copy of which we have received from the *French* Ambassadors, and goes here inclosed) as likewise of the Memorial given upon the same Occasion to Monsieur *de Coningsmark*.

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The *Swedes* Ambaſſadors here, eſpecially ſince the laſt and great Condeſcentions of the two Kings, upon which they have ſo ſolemnly juſtified the Kings, and declared the *Hollanders* to be notoriouſly in the wrong, appear extream hearty, and reſolve to make good their laſt Treaty with *France*, in Caſe Things be brought to that Extremity. And accordingly, they told us two Days ago, they had ſome time ſince written to *Puffendorffe*, their Miniſter at *Vienna*, that he ſhould immediately follow the Emperor to *Egra*, in Caſe he were not already, before the Arrival of their Letter, ſet forward on his Way thither; and once more ſeriouſly to repreſent to him the Conſequence of the Councils he is now in, of marching his Army into the Empire; that finally, after all they have ſaid upon this Matter, if his Imperial Majeſty ſhall perſiſt to march in this Quarrel, they do from henceforth declare, firſt, that he will be the Cauſe why they the Mediators ſtill loſe the Peace, of which they have otherwiſe ſo fair Hopes; next, that he will be the firſt Cauſe of the Rupture that will follow; and laſtly, that they ſhall, by Conſequence, be obliged immediately to execute as well their Warranty of the general Peace of *Munſter*, as the particular Treaty they made the laſt Year with *France*: On the contrary, if he ſhall pleaſe to keep within the Hereditary Countries, and not march into the Empire, the King of *France* will ſtay his Army under M. *Turenne* where it is, without advancing further into the Empire; and if he can obtain his Security, even wholly draw them off to this Side the *Rhine*. That in the mean Time they, the Mediators, have great Hopes to be able to compaſs the Peace; and laſtly, that the Peace following, they will anew enter into Warranty of the Treaty of *Aix la Chapelle*, for the further Security of *Spain* and the *Spaniſh Netherlands*; and with this Meſſage, their laſt Letters from *Vienna* tell them, *Puffendorffe* was gone to the Emperor in all Haſt; and they hope it is ſo reaſonable, and preſſed with that Earneſtneſs, that it may have ſome good Effect upon him for all this.

In the mean Time, the King of *France* has diſcovered, it ſeems, that a Project is laid between the Emperor and Prince of *Orange*, and the *C. de Monterey*, for their firſt entring into Action; which was to have been by the Duke *de Lorain*'s falling down towards *Alſace*, with 5 or 6000 Men he has with him in *Briſgaw*; joyn'd to about as many more in the *Franchè Comptè*: At the ſame Time the Emperor ſhould have given M. *Turenne* the Go by in *Franconia*; and the Prince of *Orange*, ſtrengthned with what Troops the *C. de Monterey* can ſpare, ſhould have advanced towards *Treves*; and ſo all the three Bodies to have united, if there had been Occaſion, in Order to the falling upon *France* where it ſhould have appeared moſt uſeful. In Order to this, the *Spaniards* have really a Body gathering already in *Luxembergh*, with an Eye, as is thought, on the Town of *Treves*. But the Mine is thought to be *Eventé* by this Diſcovery; the King of *France* being himſelf in Perſon, advanced into *Alſace*, to ſee all Things in a Condition on that Side, and M. *de Fourelles* having poſted himſelf on a ſudden between the *Spaniſh* Body in *Luxembergh* and the Town of *Treves*, to prevent a Surprize of that important Paſſage. Beſides this, the *French* Ambaſſadors tell us, M. *de Luxembergh* has had Advice of ſome ſecret Deſign the Prince of *Orange* has to be executed now in few Days, ſomewhere on that Side; how far he knows the Particulars, is not ſaid, but he hopes he knows enough not to be eaſily ſurpriz'd any where.

The Baron *d' Iſola*, who takes the Character of Ambaſſador for the Emperor, having, a Day or two before, notified to us, by two Gentlemen, his Arrival on *Friday* the $\frac{15}{25}$ *th* Inſtant, we made him our firſt Viſit in the uſual

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Manner; our Conversation was cold and formal, nothing towards Business, more than that he lamented, in his Canting Stile, the great Spoils and Violences committed every where in the Empire by the *French*, the Burthen of the Song being — If this must be called Peace, he was to seek what was War. That these Proceedings of the *French*, had been born as long as possible; and that the World could not but justify any other Councils, that should be henceforth taken by the Empire, for their necessary Defence and Reparation: However, that he was come, not to declare a War, or make Manifesto's, but to endeavour a Peace; which, he said, tho' M. *de Koningseck* was not yet upon the Place, he and his Collegue (one *Visscher*) already in Town some Weeks, had sufficient Power to negotiate and conclude: That the Emperor was most desirous of it, only it must be taken, that the Plaster be as large as the Sore, that the Peace be general; intimating, that the Aim of the Emperor and *Spain* will be, to have all their Concerns in this Part of the World, of all Kind, especially what may be depending in any Way between them and *France*, provided for in this Treaty: And this is the Note he is generally in, in all his Discourse; for the rest, it is generally taken notice of, that, according to his usual Manner, he is in a difficult Style and Language to every Body he converses with, according as he apprehends their Interests or Affections to be.

We are yet without further Knowledge of the Success of the late Engagement off of the *Texell*, more than what the *Dutch* will give us; but we conclude, from the great Moderation and Coldness we find in all the Letters and Prints, that certainly, with the Blessing of God, the Advantage has been on our Side. We are expecting with great Impatience the Particulars of it, either directly from his Highness Prince *Rupert*, which, as the Fleet lyes, we think may most likely come by the Way of *Hamburg*, or from your Lordship by the Post of yesterday. God Almighty grant it be such as may help to mend the Crisis our Negotiation is now drawing to. We remain with all humble Respects, *&c.*

To the Earl of *Arlington*.

Cologn 29 Aug./1 Sept. 1673.

My Lord.

Our last that we presumed to trouble your Lordship with, was of the 12/19*th* past; the Duplicate of it we take the Liberty to inclose herewith: The Mediators having not given since our last, any Occasion to meet at the *Carmes*, we have nothing more at this Time to trouble you with, but the little Occurrences of ordinary Conversations: We shall not undertake to assign the Reasons why the Mediators have not thought fit to assemble the Plenipotentiaries together since this Day seven Night; only we do guess they may be at this Time in Expectation of some further Condescentions from the *French* Court: For M. *Sparr*, in a Conversation with us on *Tuesday* Night, took Occasion to enquire, whether the *French* Ambassadors had yet any Return by the Courier they had lately dispatched to Court; as if that Courier had been sent away with the Privity of the Mediators, and upon some Errand, wherein they had a special Concern. With this Question, M. *Sparr* did introduce himself into a Discourse of the Impossibility to have any Success in this Negotiation, unless the *French* may be prevailed with to accept of a reasonable Equivalent in lieu of *Breda*, *Bolduc*, and other Places

Places they now insist upon. The *Dutch* having declar'd, (as he express'd it) *nettement*, that they will rather continue the War, and run the utmost Hazard, than part with those Places: An Equivalent, he said, the *Dutch* will give, but it will be difficult to find out such a one as will content the *French*. The Offer that they make of *Zutphen*, and some Places about it, will never be accepted of, it is so remote from any Place the *French* is possessed of; and *Spain*, on the other Side, whose Politicks it is to continue the War, will not frame itself to accommodate these two Parties with any Exchange.

It was M. *Courtin*'s Observation, that the Mediators, in their Countenance these four or five Days last past, have appeared more chearful and promising, than at our last Conferences; nor are they so desponding in their Discourses of the Temper they find the *Dutch* in, as they were upon the first Observations they made of them, after the Return of the two Ambassadors from the *Hague*. On *Wednesday* the Baron *de l' Isola*, rendered us the Visit we had given him as his *Imperial* Majesty's Ambassador; he quickly let himself into a large Discourse upon several Infractions of the Treaty of *Aix la Chapelle*, wherewith he charges the *French*; partly in their manner of restoring the *Franchè Comptè* to *Spain*, which was (as he said) after they had disarmed and utterly ruined it: partly in their violent possessing themselves of above 400 Villages, under the Notion of Dependencies to their Conquests in the *Spanish Netherlands*, before any Reason or Arbitrage could be heard; but above all, in their Placart of Residence, which cut the Throat (as he phras'd it) of the *Spanish* Subjects: So that in this, as well as in that Visit we gave him, (wherein he took Occasion to declaim against the *French*, for the *Degâts* they make at this Time (as he says) in the Electorate of *Treves*, and for the Contributions they exact in the Province of *Limburgh*) his Conclusion and great Remark was, that the Peace at *Aix*, as also that at the *Pyrrhenées*, did but *marquer la chasse pourune autre guerre*, those were his Words; and that it will be in a manner impossible to contrive such a Peace, and a Guaranty, as Things now stand, as will be sufficient to preserve the *Spanish Netherlands* from being wholly swallowed up by another War.

Upon the whole Matter, we must expect all the Opposition and Traverses imaginable from him, to the good Issue of this Negotiation: And it is an Observation that M. *Ehrensteen* has made to us more than once, that if the *Imperial* and *French* Armies do come to Blows, the Baron *de l' Isola* will then come into this Treaty, as one of the Parties principal in his Master's Name, and throng it with so many Pretensions, that it will be in vain to think of accommodating them, till the Fortune and Revolutions of the War do bring a greater Necessity than now there is, upon the one Party to submit and receive Laws from the other. The best on't is, every Body is here full of the Baron *de l' Isola*'s Character, and we do not find that the Reputation of that is like to give him any Ascendent at all over our Mediators, but that they are sufficiently upon their Guard against all the Insinuations of his Sophistry. Here is a Report spread Abroad, as if *Don Bernard de Salinas* were now upon a second Voyage into *England*, but we do not find that any here do much heed it.

This Morning the *French* Ambassadors did, with the usual Solemnity, notify to us the Orders they had had from their Master, to joyn with us in demanding a Categorical Answer from the *Dutch*, upon the Subject of our several Demands, and in prefixing them a Time to give it in: Upon this Overture, we immediately entered into a Delibera-

tion with them of the Time we ſhould go to the Mediators upon this Errand: We, for our Parts, knowing how our Maſter is pleaſed to preſs this Affair, propoſed to go this Morning; but M. *Courtin* having been yeſterday with M. *d' Odyike*, about Proviſions for his Houſe this Winter, M. *d' Odyike* told him, he thought he ſhould not be here after the *20th* of this *September*; M. *Courtin* having rallied him upon that Subject, M. *d' Odyike* offer'd to lay a Wager with him, that he ſhould not be here longer than that Day; and when he and M. *Van Haren* met him a ſecond Time the ſame Evening, he took Occaſion to tell him, that he (M. *Courtin*) ſhould ſee to Morrow, (meaning this Day) whether he, M. *Odyike*, were in earneſt or not. This being compared with what fell the other Day from M. *Beverning*, viz. that they, the *Dutch*, were no longer free to treat with them, till the 15*th* of *September*, after which Time their Treaty with the *Spaniard* (in caſe a Peace be not made) is to take Place, and be in Force, hath brought the *French* Ambaſſadors and us to a Perſwaſion, that as the *Dutch* Ambaſſadors had this Day ſevennight at the *Carmes*, deſired the Mediators they might have our ſeveral Anſwers upon the two Letters they (the *Dutch*) had written to the Mediators, touching the Demands of the two Kings; ſo they, the *Dutch* Ambaſſadors, were upon making a further Step, *viz.* of prefixing to us a certain Time to give in thoſe Anſwers they called for this Day ſevennight: If they do prefix us a Time before we do it to them, we think it an Advantage to our Maſters, for ſo they will have made the firſt *Demarches* towards the breaking of this Negotiation; and that after we have made Abatements, (and thoſe very conſiderable ones) ſubſequent in Time to the Offers they have laſt made: We therefore, with his Majeſty's moſt gracious Favour, have thought it beſt, there being but two Days Difference, to joyn with the *French* Ambaſſadors in their Sentiment of not demanding this Anſwer, and prefixing a Time for it till *Monday* next, in Expectation of what M. *d' Odyike*'s little Menaces will produce: If they do either to Morrow or next Day prefix us a Time, we ſhall be more at Liberty to demand their Anſwer, and to prefix them a Term of 15 Days (leſs we cannot think to be a competent Time) to give it in: And yet they will appear to the Mediators and the World, to have made more Haſt than was reaſonable in this Step; if they ſay nothing, we ſhall, without fail, on *Monday* next, ſolemnly denounce to the Mediators, that the *French* Ambaſſadors and we do expect the Categorical final Anſwer of the *Dutch*, upon the Abatements our Maſters have made reſpectively, within 15 Days.

Since we began this Diſpatch, we have, My Lord, the Honour of your Lordſhip's of the 15*th* of *Aug.* come to our Hands, and we do with all humble Thanks acknowledge your Lordſhip's Favour in it, in letting us know how infinitely gracious his Majeſty is pleaſed to be, in pardoning the many and great Imperfections of Duty, we may, and muſt have fallen under, in ſo difficult a Negotiation; that Notice which his Majeſty deſcends to take, of the Application and Zeal we owe to his Service, being ſuch a Comfort and ſuch a Reward, that the greateſt and happieſt Performances can have no Pretence to, much leſs that Obedience we are bound to, under the deepeſt Obligations and trueſt Senſe of Duty imaginable. We are, &c.

To

To the Earl of *Arlington.*

Cologn $\frac{1 \text{ Sept.}}{26 \text{ Aug.}}$ 1673.

My Lord,

THE laſt Trouble your Lordſhip will have had from us, was of the $\frac{22 \text{ Aug.}}{1 \text{ Sept.}}$ by the Ordinary of that Day, a Copy of which goes here incloſed.

In it, we gave your Lordſhip an Account of the Reſolution we had preſumed to joyn in with the *French* Ambaſſadors, of forbearing a Day or two to put in Execution the Orders we had received, (and in which they had then likewiſe received Inſtructions to joyn with us) of demanding a Categorical Anſwer from the *Dutch*, upon the Subject of our Demands, by a certain Day, in Expectation that the *Dutch* Ambaſſadors here might in the mean time very probably prevent us; and in the peremptory preſuming Humour they appear'd to be in, limit us a Time to give in our laſt Word to them, which was judged much more to the Advantage of our Maſters, in the Opinion of the World, in caſe the Negotiation ſhould come indeed to miſcarry, than if we ſhould have firſt ſet them a Time.

It happen'd juſt as we had conjectured it, for *Friday* $\frac{1 \text{ Sept.}}{22 \text{ Aug.}}$ in the Evening, the *French* Ambaſſadors gave us an Account, that the Mediators had that Afternoon ſent in much Haſte to have a Meeting with them; the Occaſion was, to communicate to them a Paper, they, the Mediators, had received from the *Dutch* Ambaſſadors that Morning, ſign'd by *Beverning*, *Haren*, and *Isbrandts*, bearing Date that Day, demanding from the Ambaſſadors of the two Kings, and their Allies, a final Anſwer what they had more to ſay, as to the Matter of their Demands, and their laſt Word how low they would go; concluding, that in caſe they, the *Dutch* Ambaſſadors, ſhould not be ſo happy as to obtain ſuch a final Declaration from them, they ſhould not be able to proceed further in this Negotiation — *De plus continuer le Cours de cette negociation*, thoſe were the Words. The Ambaſſadors told us, the Mediators had a like Paper for us, which they had intended to have likewiſe communicated to us, at the ſame Time, if we had been at Home; and that they certainly would take next Morning to do it: An Hour after we met the C. *Tott* at the Biſhop of *Strasburgh*'s, (where we all paſſed that Evening) and he repeated the ſame Thing to us. Upon which we went aſide with the *French* Ambaſſadors, the Biſhop of *Strasburgh*, and Prince *William* his Brother, to conſider a little of the Matter, and what Anſwer we ſhould give to it. We judged it of great Weight how and what Anſwer we made to it, conſidering by the Way and Manner the *Dutch* had demanded it, that it might probably be made the Foundation in *Holland* of their Reſolution as to Peace or War; and therefore we agreed to take till the next Morning, to conſider of it each apart, and then to meet and take a joynt Reſolution, ſuch as, upon the comparing of Opinions, ſhould be found moſt adviſeable in the Matter. The Queſtion, as it lay before us out of the *Dutch* Ambaſſadors Paper was, whether and how far we ſhould ſatisfy their Demand, in ſpeaking out each of us *finally* and preciſely, the loweſt our reſpective Maſters would fall in their Demands: We, on our Part, immediately, without any Difficulty, concluded, we ought by all Means to do it; eſpecially conſidering the Orders we had received from his Majeſty, for the

the ſetting a Day to the *Dutch*, in caſe they had not thus luckily prevented us, by (in a manner) ſetting us one: and accordingly having the next Morning communicated it to the *French* Ambaſſadors, they readily concurr'd in it, and we together prevail'd with the Deputies of the Elector of *Cologn* and Biſhop of *Munſter*, (whom we found otherwiſe of a Mind, to have bargain'd and chaffer'd in the Matter) to joyn with us in the Reſolution, and each to declare the very loweſt of our Maſter's Mind.

In the mean time we receiv'd a Summons from the Mediators the ſame Day, being the $\frac{2\ Sept.}{23\ Aug.}$ to meet in the *Carmes*, about 3 a Clock in the Afternoon, the Mediators came to our Appartment, and delivered us the like Paper, ſign'd by three of the *Dutch* Ambaſſadors, *viz.* *Beverning*, *Haren*, and *Iſbrandts*, dated the $\frac{1\ Sept.}{22\ Aug.}$ (a Copy of which we take Leave to ſend here incloſed): We told them, we had already taken Notice of the Demand of the *Dutch*, from the Paper given the Night before by them, the Mediators, to the *French* Ambaſſadors: That we had conſidered of it with the ſaid Ambaſſadors, and the Miniſters of our other Allies, and that we would that Night, or the next Day, give them our Anſwer in Form. They began to repeat to us, the Heads of our principal Demands, praying us, that we would, if we had it in our Power, give yet a further Moderation to them; or if we had it not in our Hands to do, then to repreſent it once again to our Maſter, for his further Pleaſure. We told them, we had already frankly, and with that Confidence the King our Maſter has in the Friendſhip of the King of *Sweden* in this Negotiation, told them all our Maſter's Mind: That lower than that we could not go, repeating to them the ſeveral Heads of our principal Demands, *viz.* The Flag; The Annual Sum of 12000*l.* for the Fiſhery; The Million of Pounds Sterling for the Expences of the War; The Reſtitution of *Surinam*; The calling in all Libels, Prints, and Medals, *&c.* The Regulation of Trade in the *Indies*, and on the Coaſt of *Africa*; And laſtly, The Eſtabliſhment of the Prince of *Orange* Hereditary Stadtholder. Theſe, we told them, were ſuch Points, as the King our Maſter would finally inſiſt upon, in the ſame Degree we had laſt moderated them, without any further Abatement. They took them in order, and began to argue upon them, as Mediators only, as they told us, and in no Degree with Partiality towards the *Dutch*; who, they ſaid, had play'd the Crown of *Sweden* more Tricks, than they had done any State in *Europe*.

The Flag, they ſaid, they thought was conſented to; The Annual Payment for the Fiſhery, they told us, was abſolutely denied; the *Hollanders* pleading, *Firſt*, That they had been in the quiet Poſſeſſion of it 200 Years, ever ſince the Treaty of 1495; and that they had never been diſturbed in it, ſave in the Time of King *James* once, which, upon the Repreſentation of their Ambaſſador, was laid aſide, and the Thing left as it was. *Secondly*, That in all the Treaties that had been ever made with that State by the Crown of *England*, this Point of the Fiſhery had never been mentioned.

We anſwered theſe Arguments as well as we could: 1. That the Right they founded on that Treaty of 1495, muſt needs have expired and fallen with that Treaty, by the firſt War that followed between the Parties, of which there had been many ſince that Time; unleſs they could ſhew that it had been again renewed and reſtored by ſubſequent Treaties, which, we told them, they could not do. That there is no Reaſon this Article of that Treaty 1495, ſhould be thought this Day to oblige his Majeſty, no more than that twenty other Articles of the ſame Treaty,

Treaty, by which considerable Advantages are stipulated to the Subjects of the Crown of *England*, should be thought now to oblige the King of *Spain*. Each Article in a Treaty being of the Nature of a Condition to all the rest, which failing in Performance, the rest of the Articles are not taken to oblige unless expresly so provided. 2. That it is very questionable, how far the present States General, having erected themselves into another Form of Government, by a notorious Separation from the Subjection of the House of *Burgundy*, can pretend to a Right or Privilege affected particularly to the Subjects of the House of *Burgundy*. *Lastly*, that to shew them, no Right as to the Fishery (granted by that Treaty) is understood to be on Foot, the very Inhabitants of the *Spanish Netherlands*, who are actually Subjects of the King of *Spain*, Successor and Descendant of the Dukes of *Burgundy*, and who are the very People, in Favour of whom that Treaty was then made, have in all Times, and do at this Day, take Licences from his Majesty, which we confirmed to them by the many Licences distributed in *Flanders* in the Years between 1630 and 40, by Sir *Balthasser Gerbier*, his Majesty's Minister at *Bruxells*; and by what was done within these Six or Seven Years by the Town of *Bruges*; who have a standing Licence Term from his Majesty, for a certain Number of Vessels to fish yearly. *Secondly*, As to their second Objection, to wit, that this Point had never been mentioned in any Treaty between them and the Crown of *England*; we allow'd it, but said, it proved, as we thought, upon the Principle laid down in the former Argument, *viz.* That the Right they claimed, was grounded on the Treaty of 95; that having never been provided for in any other Treaty since, between them and the Crown of *England*; that in Truth they therefore had no Right at all to it: In our Debate, upon this latter Argument, they would have flown off, saying, the *Dutch* did not own that they derived their Right from the Treaty of 95 wholly, glossing it thus, that to avoid Contests and Disputes that had happened frequently, till that Time, between those that fished, &c. the two Parties had agreed so to settle the Liberty of the Fishery for the future.

We said what more we thought proper on this Subject, for the convincing the Mediators, in Case they themselves should still doubt of our Right, and to give them wherewithal to silence the *Dutch* in the Point. They told us, they hoped his Majesty would please to find some Temperament in it, intimating, that this Point might be satisfied, by one present Sum of Money, and not to insist on an annual Payment, which they told us, they feared the *Dutch* would never be brought to.

Next, they came to the Article about the Prince of *Orange*, in which, we observed, they argued with much more Warmth and Seriousness, tho' they professed what they said, was not for the least Interest they had in the Exclusion of that Article; but perfectly as Friends and Servants to the Crown of *England*, and for the Interest the King our Master had, (as they thought) that the Peace do not break on any Point, that the World should not afterwards judge very reasonable on his Majesty's Part. Now they said, they doubted extreamly, whether the World would think this Point (about the Prince of *Orange* to be established Hereditary Stadtholder) such. 1. This is to prescribe a Law and Form of Government to another Neighbour State, which looks very odd. 2. This is wholly to destroy their Government of Republick, and render it a Mixture of Sovereignty or Monarchy. 3. How deserving soever the present Prince of *Orange* may be of this great Trust in his own Person, yet who knows what his Descendants may be in any Time, how uncapable, how

little

little deserving it. 4. The Nearness in Blood of the Prince of *Orange* to the Crown of *England*, makes it a Matter of wonderful Consequence to have him settled in the Hereditary Right of Stadtholder of all these Provinces; and lastly, all this, contrary to the Desire of the Prince of *Orange* himself, so as certainly the World must needs think, after the Carriage of the Prince of *Orange* towards the King our Master, during this whole War, and particularly his Conduct now as to this Negotiation, there must be some great Mystery in it (so they worded it), that the King should thus insist, finally, upon the establishing him as Hereditary Stadtholder, so as ever to lose the Peace, rather than not prevail in it: And this Point of all others we found them most earnest in, especially as to the Circumstance of making it Hereditary to his House.

As to the Expences of the War, they said, they hoped the King would please to lessen the Sum: Not that they could say, as they told us, that they had hitherto found any Disposition in the *Dutch* to give any Money at all, upon this Head. However, they would humbly recommend it to the King, to lessen it what possibly he could.

As to *Surinam*, they slid over that Article, saying, they did not believe that would stick much.

The other two of the Libels, and the Reglements of Trade in the *Indies*, they likewise passed over without making any Exceptions to them. This is the Sum of what passed between us and the Mediators in that Conference, and so we parted.

Sunday $\frac{3\ \text{Instant}}{24\ \text{August}}$, we received the Honour of your Lordship's of the $\frac{18}{28}$ past, containing his Majesty's Commands to us, that we should, by Concert with the *French* Ambassadors, do as much as in us lies, to put the Treaty to a Period; by declaring to the Mediators, that if his Majesty have not Satisfaction, according to the late Instructions sent us, of the 28*th* of *July*, by the 13*th* of *September*, *O. S.* he will hold himself refused; and if his Allies will concur with him, he will therewith break off the Treaty: Your Lordship being pleased to add, that his Majesty had directed, that that Resolution of his should be imparted by the same Post to Sir *William Lockhart*, to the End, that he should acquaint the King of *France* with it; and obtain that Directions be sent to the Plenipotentiaries of *France*, to co-operate with us according to these Measures.

The next Morning, we communicated these Orders to the *French* Ambassadors, who not having the Directions necessary from Court, to concur with us in this Point, and being otherwise of the Opinion, that if they had them, yet that it would be much better, and more for the Service of the Negotiation, to divide the Time into two, and set for Example, *first*, 15 Days or 3 Weeks to have a final peremptory Answer in; and thence, as there should be Cause, to remove it to a further Day, within the 30*th* of *September* finally fixed by our Master, rather than at once to set that Day for the utmost Term. In this Consideration, we were inclined to agree to the Judgment of the *French* Ambassadors, that in the mean Time, till they had received their Orders from Court, upon what your Lordship has written to Sir *William Lockhart* on this Subject, and that we have his Majesty's Pleasure to govern ourselves otherwise, if it be found fit; we should, in Execution of the former Orders we had in our Hands, and which we otherwise resolved (as we acquainted your Lordship in our last) to put in Execution that Day, to proceed to set the *Dutch* a Day; within which, to give in a categorical Answer to the Demands of the two Kings; and we agreed it would be best to do it in the Close of the Answer we were that Morning to deliver into the last Paper of the *Dutch*; pretending to ground our fixing a Day for their

final

final Anſwer to us, upon their peremptory Way of Proceeding, thus to call, as it were, in an Inſtant, for a final and concluſive Declaration from us, of our Maſter's Demands; but ſo as not to denounce to them, that we would thence forward, in Caſe they anſwered not, break off the Treaty: That we judged, was to be reſerved for the utmoſt Term we ſhould hereafter remove our Day to. In which, tho' we may have varied from the ſtrict Letter of his Majeſty's Inſtructions, yet we humbly hope we have followed the Scope and Intention of his Pleaſure, and that his Majeſty will pleaſe ſo to allow of it: At leaſt, it was all we could get the *French* Ambaſſadors to come to; and we hope it is not leſs in our Power, whenever his Majeſty ſhall think fit that we do it, to proceed even according to the Letter of our laſt Order, to ſet the 30*th* of *September* for a final Day, with that Denunciation affixed to it, that in caſe we then received not an Anſwer, we ſhall break off the Treaty.

From the *French* Ambaſſadors, we went to the Meeting at the *Carmes*, where, according to the Reſolution we had taken with the *French* Ambaſſadors, and our other Allies, we did, by way of Anſwer to the Paper of the *Dutch* Ambaſſadors, declare ſolemnly to the Mediators, the laſt and loweſt Conditions our Maſters would reſpectively ſet the Peace at; we, for our Part, telling them, as the *French* Ambaſſadors did likewiſe on theirs, that we had already imparted to them, the King our Maſter's very loweſt Terms; and that they were the ſame we had communicated to them the 20*th* of *Auguſt*: And ſo we again repeated diſtinctly the ſeveral Heads, ſaying, we could not but extreamly wonder at this Sort of Proceeding in the *Dutch*; that after the King our Maſter had fallen ſo very low, by two great and important Abatements, by the laſt of which he had wholly departed from the main Article of Places, which they, the Mediators, had found the only one of Difficulty in our whole Demands; that after all this, the *Dutch*, without making any one Step towards us, ſhould thus briſkly and peremptorily ſummon us immediately to give in our very loweſt, threatning us, that unleſs we did it, they ſhould not further proceed in the Negotiation: We told them, we thought they, the Mediators, and all the World, would judge this a very ſtrange Proceeding; and ſince it was thus, we and our Allies had thought fit (having thus ſaid each of us our very laſt Word) to declare to them, the Mediators, that we did expect, that within 15 Days they, the *Dutch*, ſhould on their Part give us in a Categorical Anſwer to our Demands. They told us, they muſt confeſs, our Proceeding had been all along very frank and fair; that they would uſe their utmoſt Endeavours to procure the King Satisfaction in his Demands; but that they had ſtill humbly to beſeech his Majeſty, that he would pleaſe to ſoften them yet further what he could, eſpecially they ſaid, to lower the Sum of Money; to give Eaſe in the Article of Fiſhery; and to find ſome Temperament in that about the Prince of *Orange*. Theſe Points, they ſaid, they humbly pray'd his Majeſty would pleaſe yet once more to conſider of; but that however, they would in the mean time uſe their utmoſt Endeavours for his Majeſty's Satisfaction, juſt as if this Inſtance of theirs were not depending; and ſo we parted.

We were of Opinion, conſidering our Demands are now brought to the very loweſt, and that as well in our firſt Inſtructions, as in ſome later Significations of his Majeſty's Pleaſure, it was ſaid, we ſhould joyn with the *French* Ambaſſadors, to give in our Demands in Writing; we were of Opinion, that we ſhould have given them now into the Mediators in Writing; but the *French* Ambaſſadors being of a contrary Mind, adding for Reaſons principally, that they had engaged to ſtand

by the Intereſts of the Elector of *Brandenburgh*, and Duke of *Newburgh*, in this Treaty; which tho' they meant to do as far as all poſſible Offices and Endeavours could ſerve, yet that they would not finally break the Peace upon that; for that Reaſon, ſhould they give in their principal Demands in Writing, they muſt either inſert that, and ſo ſwell their Pretenſions by an Article they did not indeed intend finally to ſtand upon; or elſe leave that out of their Demands, and ſo hazard the loſing of the Elector of *Brandenburgh*, who is naturally none of the ſureſt Confederates: So as, upon the whole, they being not able to joyn with us in the Way we had propoſed to give in our Demands, we contented ourſelves to dictate the Heads of them, as they ſtand in our Inſtructions, to the Secretary of the Mediators, which we have done this Morning, and have engaged the Mediators to give us a Sight of the Anſwer they ſhall make on our Part to the *Dutch*, before it be delivered; and this Precaution, we hope, is ſufficient in this Point. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{29\ Aug.}{8\ Sept.}$, 1673

My Lord,

IN our laſt, which was of the $\frac{26}{5}$*th* paſt by the Ordinary, a Duplicate whereof goes here incloſed; we had the Honour to give your Lordſhip an Account of the Demand which the *Dutch* Ambaſſadors, by their Letter of the *1ſt* of *September*, had made to the Mediators, to know the *ultimatum* of the two Kings, and their Allies. We gave your Lordſhip likewiſe an Account, how the *French* Ambaſſadors and we had concerted together;

1. To let the Mediators ſee how ſenſible we were of the Indecencies wherewith the *Dutch* Ambaſſadors did ſtill preſs for an *ultimatum* on our Part, without taking the leaſt Notice of the ſeveral Steps and great Abatements which the two Kings had made, as alſo without making any Advances or Offers worth the heeding, on the Behalf of the States their Maſters.

2. To give in our ſeveral *ultimatums* to the Mediators once more with Solemnity; only the *French* being not at Liberty to do it in Writing, we thought it ſafeſt for us to repeat the ſame Things again, by way of dictating them to the Secretary of the Mediation, whom we intreated the Mediators to give Leave to attend us for that Purpoſe; a Tranſcript of what we dictated, we ſend herewith incloſed; it being agreed on all Hands, that we were to do no more at this Time, and the Mediators expected no more from us, than to give in a Brief of our Pretenſions, and not the Words at length, as we hope to couch them in Articles.

3. To deſire the Mediators, in our Names, to prefix a Term of 15 Days, for the *Dutch* Ambaſſadors to give Categorical Anſwers upon our *ultimatums*: The *French* Ambaſſadors having not their Orders to joyn with us, in prefixing a peremptory Term of the 30*th* of *September*, O. S. with an Intimation, that their not anſwering by that Time would be taken for a Refuſal: It was their Judgment, and we could not but concur with them, in regard that we ſhall be, when theſe firſt 15 Days are expired, in Poſſeſſion of as many more, to give them for our peremptory

ptory and last Term, and all that within the Term limited to us, *viz.* the 10*th* of *October* this Style.

THIS being done, the Mediators were pleased to promise us a Sight of that Answer, which they intended to give to the *Dutch* Ambassadors, by Way of an Account of our Ultimatums; they gave it us on *Tuesday* Night to consider of; we told them next Day, that we could not acquiesce in that which they had set down concerning the Flag, for we, in that which we first said to them, and afterwards dictated to their Secretary, restrain'd ourselves to these two Words, *le Droit du Pavillon*; but they, the Mediators, added of their own, *de la, maniere, que vos Excellencies,* (meaning the *Dutch* Ambassadors) *lont projette*: The Project referr'd to in these Words, is a Paragraph of that Letter (or rather Manifesto) of the 15*th of August*, which the *Dutch* Ambassadors writ to the Mediators upon their Return from the *Hague*, the Paragraph runs thus: " Messieurs les Estats Generaux s'elargiront au Point du Pavillon " de donner tel sens àl' Art: 19. du Traité de Bredà del' an. 1667. & " d'en Expliquer les Mots de la facon que sa Majesté le desire, & " que par une nouvelle extention d'un Art. lon le couchera en ces " Termes —— Quod naves & navigia Fœderatarum Provinci- " arum tam bellica & ad hostium vim propulsandam extructa, quam " alia sive singula sint, sive in classes redacta, quæ navibus Britannicis " obviam dederint, sive etiam singulæ sint, sive plures modo aplu- " stre regium gestent, vexillum suum è mali vertice detrahant, & " supremum velum demittant, *eo modo* quo ullis retrò temporibus " unquam observatum fuit. —— Et qu'ils donneront les Instructions, " & les Ordres necessaires àleurs Admiraux & autres Chefs à fin " que le Susdit Art. soit observè fidellement & precisement.

THIS being the Project referr'd to, we told the Mediators, we could not by any Means acquiesce in it, or think it would satisfie his Majesty in this Point; for tho' they say, that they are content to give such a Sence to the Article of *Breda*, and to expound the Words of it in the Manner his Majesty has desired, yet the new Extension (as they called it) that they give to it, is much short, in four several Things of his Majesty's meaning: 1. We told them, the Word in *maribus Britannicis* are left out; his Majesty being founded in a special Right and immemorial Prerogative in those Seas; and if he grasps at the same Honour in all Places, they the *Dutch*, and all the World beside, would have Reason to dispute it with him. 2. We told them, that in Regard the *Dutch* chicaned upon the Word *Yacht*, just before the breaking out of this War, his Majesty desired, that the Article of *Breda* might be so explain'd, as that *Yachts* by Name, and all Vessels whatsoever, being in the King's Service, and wearing his Colours, Flag, or Jack, may have the same Right done to them, which is not provided for in the *Dutch* Project. 3. That the Word *eo modo*, in the Project, might be made still a Handle for a Cavil; therefore that the *Dutch* may not, upon Words that are only relative to the ancient Modus hereafter pretended, that the Burthen of proving that Modus lies upon us, his Majesty desires it may be first set down fully and clearly, what the *Dutch* are to do (as to the Flag, and how they are to do it, in future Times); and then, that it be positively and clearly asserted, that so it was done, as is now agreed on by this Article, in all former Times. Our 4*th* Exception was, that the *Dutch*, in the Close of their Paragraph, are content to say they will give all Instructions and Orders necessary to their Admirals and other Commanders, that this Article be faithfully and precisely observed, but they are not pleased to add it to their *Latin* Project: This we did insist

upon to the Mediators, as the great Security of that Article: It is true, it is not in that Project which we have brought hither along with us, yet we do, under his Majesty's most gracious Favour, humbly conceive, that the gaining of it will be of good Moment to the Honour of the King, and the executing of the Article, and the *Dutch* having made it Part of their Concessions by their Letter, even in their greatest Heights, We shall contend all we can to bring this Clause into the Close of the Article.

The Mediators heard us with Patience enough upon these four Exceptions, and commanded their Secretary to take the Heads of them, as we should dictate them unto him; which we did in as few Words as we could, and we shewed a Project of this Article in *Latin* to M. *Ehrensteen*, who, as we conceive, holds the *Latin* Pen among the Collegues: he read it twice over, and said, that tho' it ty'd the *Dutch* pretty hard, yet since the Article of *Breda* must necessarily admit of a new Explanation, he saw no Cause, why our Project *in terminis* should not be received: This past between us and the Mediators on *Wednesday* about the Flag.

We had some Discourse likewise with them upon some few Regulations, which we desired might be provided for in this Treaty, upon the Matter of Commerce in the *Indies*, and upon the Coast of *Guinea*; as, 1. That it may be declared by this Treaty, in what Sense, Towns or strong Places there, shall be understood to be besieged or blocked up by the one Company or the other, so as to hinder the Commerce of those that are Neuters, and not in War. 2. That no Pretence of the one Company's having contracted for all the Commodities of a kind in a Country, shall hinder the other from trading thither. 3. That no Forts shall be built by the one Company, to hinder the free Passage of the other, where it has a Factory or Lodge established. 4. That no such Treaty as that with the King of *Macassar*, exclusive of the one or the other Company to trade, shall be good. 5. That the Company that is not in War, shall have all the Benefit of Neutrality in its Trade.

When the Mediators saw, that we desired these Things only to prevent present Violences, and Recourse to Arms, between the Companies in those Countries, and that we intended them to be reciprocal; and that we would stipulate in this Treaty, to have another Treaty more large and exact, touching Commerce, at another Time and Place, they did not insist further upon it, nor say (tho' they seemed to intimate so at first) that it would be necessary for them to explain themselves to the *Dutch* Ambassadors, with any great Exactness upon this Point; thereupon they went Home, with a Resolution to alter what they had set down in their Letter about the Flag; the Alteration they made was in these Words, saying, that we insisted upon — " le droit du Pa-" villon touchant lequel ils sont contents de l'offre de Messieurs les " Estats Generaux de donner tel sens àl' Art. 19. du Traitè de Bredà de " l' ann. 1667. & d'en expliquer les mots de la façon que sa Majestè de " la Gr. Bretagne la desire mais se reservent d'ajuster les paroles avec " vos Excellencies quand on viendra à Coucher les articles. — When we saw this new Clause, (and now it was not a Draught, but a Letter compleated, and signed by the three Mediators) we thought it our Duty to repeat the Instances that we had made once before to them, and to desire them to let the *Dutch* Ambassadors be fully informed by this Letter, of those four Exceptions we had taken to their Project; we told them further, that our Master had dictated to us before we came from Home, the very Words, Syllables, wherein he was resolved to have this Article couched; and having received a Project from his own Royal Person,

Person, duly weighed and considered by himself, we durst not vary from it in the least, otherwise than by turning the *English* into *Latin*. To this their Answer was, that they would not fail to represent our Objections, with all the Force in them, to the *Dutch*; but that they chose to do it rather by Word of Mouth, than to charge their Letter with Objections: The Reason they gave was, that they think the smoothest Language, and fewest Words, are the most suitable to the Crisis we now are in, where the *Dutch* search for nothing more than to find some little plausible Pretext, to break this Negotiation upon: Having again repeated our four Exceptions about the Flag, we left it to the Mediators to use their Discretion, the Mediators being undoubtedly Masters of the Method and Language on these Occasions. But we must crave Leave to observe to your Lordship, that it is not only in the Point of the Flag, but also in the Article of the Prince of *Orange*, that the Mediators have thought fit to depart from the Draught they first made, and shewed us, and from the Words we had dictated to their Secretary, touching that Affair; for in the Draught of the Letter they shewed us on *Tuesday*, they couched our 7*th* and last principal Point in these Words: — " L' Etablissement de Monsieur le Prince d' *Orange* dans " la Charge de Stadtholder General Hereditaire, *&c.* à luy & à ses descen- " dants Males. —— But in the Letter ready sign'd, which they shew'd us yesterday, there was no more but — " l' Etablissement de M. le Prince " d' *Orange* — the Words following, which particulariz'd the Office of Stadtholder General, *&c.* to him and his Heirs Males, being quite left out.

WE took the Liberty to observe to their Excellencies, how short this Article was of our Words and Meaning; but they returned us the same Answer, that this Omission was not without especial Regard to his Majesty's Service, and to the Good of the Peace, wherein we ought, they said, to acquiesce. One Alteration more there was; for in the close of their first Project, there were these Words: —— " Messieurs les Ambassadors d'Angleterre ont finis celle proposition en Nous priants de " leur faire avoir une Réponse Categorique dans quinze Jours. —— But in the Letter, which they shewed us yesterday, these Words were quite left out; which, when we had observed unto them, their Answer was, that their Discretion in the present Conjuncture had obliged them to it; and they hoped, as they said, we would the more readily excuse them for this Omission, in that the *French*, who had the very same Clause to a Syllable, in the Letter which concern'd their *ultimatum*, now left out upon second Thoughts, and that with their express Approbation. They did further remark unto us upon this Matter, of prefixing a Time, when they, the Mediators, first mentioned to the *Dutch* by Word of Mouth, that a Time prefix'd would attend the *ultimatum* of the two Kings; they, the *Dutch*, received it with a Mixture of Scorn and Indignation; saying, that the two Kings might have prefix'd a much shorter Time, (ten Days or fewer if they pleas'd) that they would be sure to have a Categorical Answer as soon as they can desire it.

YOUR Lordship, I doubt not, will take Notice, that in this Letter of the Mediators to the *Dutch*, there is no mention of the Libels; the Reason is, the Mediators have thought fit not to mention them at this Time, because that they, the Mediators, in the first View they gave to the *Dutch* in *June*, of his Majesty's Demands, they made no mention of them, and consequently had no Answer about them, in their long Manifesto of the 15*th* of *August*, the Mediators proceeding at this present, upon that Plan: However, they desired us to rest assured, that that Article

Article would be gained for us in our own Terms, and to take Notice, that they charge themselves with the doing of it; for if the *Dutch* will grant any Thing, it is impossible they should have the *effronterie* to deny that.

Our Conversation was no sooner finished, but the Mediators sent away their Answer yesterday in the Afternoon to the *Dutch* Ambassadors, a Copy of it, (which we have made a shift to keep) we take the Boldness to inclose in Cypher.

The Mediators, in these several Conversations, were pleased to give a most special and most ample Testimony, to the Sincerity and Frankness of those Orders and Instructions his Majesty had honoured us with, in the whole Process of this Negotiation; and to repeat again, that tho' they hoped they had (by our Diligence in giving an Account to his Majesty of such Things as they thought fit to recommend to us) an humble Suit at this Time depending before his Majesty, which was, for some further Moderation and Temperament in the three several Points of the Reimbursement, the Fishery, and the Prince of *Orange*; yet that they would labour with all Earnestness and Faithfulness possible, to gain for his Majesty his own Terms and Demands in those Points: They likewise told us, the Affliction they were under, to observe the *Dutch* Ambassadors, even upon *Wednesday* last, (a Time when they could not but be possessed of that mortifying Piece of News of their *East India* Affairs) were not only more inflexible in their Reasonings, but more intolerable in their Conversations, than they had observed them at any Time before.

On *Wednesday* Morning, we had the Honour to receive your Lordship's of the 22*th* past, by the Express Mr. *Carleton*, wherein we find great Cause to bless Almighty God, for the Success he hath given to his Majesty's Service in Captain *Munden*'s Hands. The *Dutch* were possessed of the News as soon as we, if not sooner; and we wish heartily it may have a better Effect upon the Spirits at Home, then appears hitherto in the Conduct of their Plenipotentiaries. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{2}{12}$*th Sept.* 1673.

My Lord,

The last Trouble we took Leave to give your Lordship, was of the $\frac{29\ Aug.}{8\ Sept.}$, a Copy of which goes here inclosed; since which, we have none from your Lordship to acknowledge, no *English* Letters being come by the last *Bruxells* Ordinary.

The Mediators having, at a Conference on *Friday* Evening, pressed us, at the Desire of the *Dutch*, to give in the Terms in which we expected to have that Article, which is to relate to the Pavillon, couch'd, as also those 4 or 5 principal provisional Points, relating to the Freedom and Security of Trade in the *Indies*; we did accordingly yesterday at a Conference, deliver them to the Mediators, the first in *Latin*, in the Terms we were to insist to have it pass, being the Translate of the Article of the *English* Project, we had delivered us by his Majesty's Command; and, we hope, will be found to his Majesty's Satisfaction: The other is but the general Heads, without any great Exactness of Form, of what we were to endeavour to get inserted provisionally into this Treaty, in the interim, till the main Reglement can be adjusted;

which

which we think we are authorised, and directed to endeavour, if fairly it may be, to pass into the Treaty of Peace, but not so to insist upon it, if we find it press so hard, as to hazard or retard our other main and necessary Points; and we have contented ourselves with less Exactness in the wording, provided the Substance of the Thing be sufficiently express'd; because we were afraid to frighten the Mediators with the Length of it: But it is, we hope, full enough to reach the several Abuses intended to be remedied; and by chance we had by us, almost the very same in Words, prepared before my Lords of the Committee of Foreign Affairs, with the Opinion and Help of Sir *George Downing*, to be, if possible, thrust into this Treaty of Peace, in case the whole Reglement of Trade could not at the same Time be adjusted.

In the Project of the Article about the Flag, we found the Mediators make a Stop at the Clause, — *Utpote quod, &c.* which indeed is the main Point we aim to get clearly and expresly avow'd in that Article. They asked us, why that whole Clause might not be left out, as not being at all necessary, the Thing desired being fully stipulated and provided for in the rest of the Article. We told them, that Clause was but the same that had been in the Treaties of *Breda* and of the Usurper, for the King our Master had always understood that — *eodem modo quo ullis retro, &c.* in these Treaties, was not to be taken as leaving it uncertain, and Matter of Enquiry, what had been the Practice of former Times, &c. which was the Sense they, the *Dutch*, would give it; but it was to be understood as a Conclusion and full Assertion, that such had been the Practice of all former Times; which Sense we now desired to lay down in other plain Terms, which might not be subject to an Equivocation or double Meaning.

Upon which they reply'd, they found by *Van Beverning*, the *Dutch* would insist, that that Clause *eodem modo quo*, &c. which was in the former Treaties, or any other Words we should offer to clear it by, might be wholly left out; alledging, that to admit of such a Clause, in the Sense we intended, that is, asserting positively that to have been the Practice in former Times, would be to condemn themselves in what they had done, "They were willing to do the Thing for the future, "but could not think it reasonable to avow so openly that they were "in the wrong, in not having done it hitherto." We answered, that most certainly and notoriously, this is the ancient Right of the Crown of *England*, we have the Proofs of it in all Ages. The *Dutch* themselves cannot deny it in the general, they only shuffle it in some Circumstances of doing it. To suffer these Words therefore to be left out, were to accept of a Thing out of Courtesie, or upon Compact, which is already our own by Right; and therefore we told them, that must never be thought of; besides, we told them the very Words of this Article had been prescribed us by our Master before we parted: Upon which they took the one and the other, and immediately went and communicated them to the *Dutch* Ambassadors in their Appartment, with whom they now rest.

The Mediators having appointed a Meeting yesterday in the Forenoon, I, Sir *Joseph Williamson*, in the Absence of Sir *Leoline Jenkins*, (who had been some Days indisposed) delivered them in Form, the abovesaid Article about the Flag; and that other about the provisional Points of the Trade in the *Indies*. Upon which C. *Tott* told me, they had another Matter to acquaint me with of some Weight; I told them, my Collegue not being present, I had not Power, single of my self, to enter into any Business: They told me, what they were to say was

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not by Way of Conference or Negotiation, only Conversation and Discourse; but that however, they thought fit to acquaint me with it; he told me, that having found by Letters from M. *Leyenbergh* at *London*, that we were likely in a short Time to be recalled, and at the same Time been told from the *Hague* by their Minister *Appleboom*, that certainly the *Dutch* Ambassadors would have Orders suddenly to be gone, by which this Assembly would be broken, and all the Hopes of the Peace lost, which was a Thing they could not but be infinitely concern'd for, and therefore they had been thinking what Way was possible to prevent it: They said, they had been resolving of three Things, which they thought it their Parts, as Mediators in this Conjuncture, to do. *First*, To endeavour immediately to bring the Parties nearer together as to the Conditions of the Peace: *Secondly*, To find an Expedient for the Difficulty they find made by the Parties, who should make the next Step, and speak first: And lastly, They said, they had resolved in a Manner to protest against whoever should first depart, and leave the Assembly, and, as Mediators, pronounce that they were the Occasion the Peace did miscarry, *&c.*

They told me as to the first, for the bringing the Parties nearer together, they had resolved, as to the Demands of *France*, to offer to the *Dutch*, by Way of Negotiation, that the *French* should desist from the Island of *Voorne*, Fort St. *André*, and the Part of *Guelderland* between the *Waable* and the *Muese*; and that they, the *Dutch*, should yield them all the rest of the Places demanded, or a full Equivalent for them in the *Spanish Netherlands*; and this, they said, they had acquainted the *French* Ambassadors with; that the *French* Ambassadors had protested against any such Proposition as coming from them, or with their Approbation; but that however they, the Mediators, would proceed to make it to the *Dutch*, to the End to oblige them to offer something, and to enter into Negotiation; not that what the Mediators thus offered, should bind the King of *France*, unless he pleased; but they said it was only to engage the *Dutch* to bid something; that so the two Kings might be encouraged to continue on the Assembly, *&c.* This they said, they were going to do, as to *France*.

As to the King our Master, they said, they had resolved, in the same Way, as Mediators, and to draw on a Negotiation, to say to the *Dutch*, that they should grant to the King the Article of the Flag, and that of the Commerce in the *Eaſt Indies*; (as now framed by us) supposing, as they said, the *Dutch* would be brought to agree to those Articles; next that they should agree to the Restitution of *Surinam*. That they should pay the King 600,000 Pounds for the Expences of the War; and that as to the other principal Points of the King's Demands, they, the Mediators, would endeavour to prevail with his Majesty, to *moderer ou Relâcher les autres Points* (those were the Words): Now this, said they, is what we think to do of ourselves as Mediators, by Way of Negotiation, meerly to draw on the *Dutch* to offer something, so as the King may be encouraged to continue his Ambassadors here; not that it is intended the King shall stand by any Thing we thus offer, but that he shall, if he please, for all this, insist finally on the several Articles in the Degree they now stand qualified: And upon this Matter they said, they would ask my private Opinion, not as an Ambassador, or in Conference, but as their Friend in Discourse. I told them, I knew not what to say to them; whatsoever they meant to do as Mediators of themselves, they themselves only were judges of. I would give no Kind of Opinion or Advice in the Matter by no Means: all I could say

was,

was, that the King our Master had so said his last Word, that there was no thinking he would or could come lower in any Degree: That I desired them to be assured of; and that they would not in any thing of this kind they should do, either themselves fancy, or give an Imagination to the *Dutch*, that it is possible to bring his Majesty to abate any Thing of his last *ultimatum*, as it had been given in to them three Weeks since: That they should be sure to take that with them, and then let them govern themselves in what they should do, as of themselves, as they pleas'd, I had nothing to say to it; that I was in that Meeting single, and without any Power, and therefore all was but Discourse; only I should acquaint my Collegue with what they had said to me on this Occasion: They pray'd me, I would at least give an Account of it to the King my Master, protesting with great Zeal, what they did was intended meerly in Service to the great Work of the Peace, which they foresaw was in great Danger to miscarry, in case the Assembly came to depart so abruptly; and out of a particular Respect to our Master's Satisfaction, which, they said, they did not intend should be at all prejudiced in the Degree his Majesty now insisted upon it in the several Heads; and so we parted.

We have been this Morning with the Mediators jointly, and with Authority, to make the same Declarations that one of us had done yesterday by way of Discourse, upon what they are intending to say next to the *Dutch* Ambassadors: We told them, they were Masters of their own Methods, and were to be left so to judge what were the fitter Means to attain the Ends of the Mediation; only we had thought fit, considering what we found was the Scope and Aim of what they meant to say to the *Dutch*, as to our Master's Demands, thus jointly and together to declare unto them; That we would not be taken consenting to the Thing, or so much as privy to it; and to let them know, we had given them already the King our Master's very last and lowest Conditions, in the *ultimatum* we delivered them three Weeks ago, without any the least Reserve: So as there was no Hopes in the World that the King could ever be brought to make any further Moderation or Abatement in any of those Articles. And when we had told them this, we told them we had no more to say.

M. *Sparr*, who was the only one of the Mediators we could see, the other two being indisposed, answer'd, that what they did, was singly for the good of the Peace; to provoke the *Hollanders* to make some considerable Advance to the two Kings, whereby they might be encouraged to continue the Negotiation, and not call away their Ambassadors: That they were far from intending, that either of the Kings should have their Hands tyed with this; but that they should still be left in their full Liberty, finally to insist, if they saw Cause, on their Demands, in the very Degree they now stand.

In our Return from the Mediators, we passed by the D. *de Chaulnes*, where finding the other two *French* Ambassadors, we did, by the by, enquire of them, whether they had not yet received any Orders from Court upon the Instances made in the King's Name by Sir *William Lockhart*, for their joyning with us in fixing peremptorily the 30*th* of *September* for a precise and final Answer from *Holland*, &c.

They told us, they had not yet received any; that their last Letters from Court were of the 22*d*, a very old Date; which they imputed either to the King's being in his Voyage of *Brisack*, or that the Pacquets had met with some Misadventure by the Way.

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This is a Point we are very follicitous to govern ourfelves aright in, as being of great Weight in its felf, and as having the King's exprefs Orders in it, as foon as they fhall be impower'd to joyn with us in it: By our next we hope they may have received fome Inftructions in it.

We find, upon Difcourfe with the *French* Ambaffadors, they take it for granted on all Hands, that *Spain* is refolved to declare, and Monfieur *le Prince* makes, they fay, the fame Judgment, from the Preparation he obferves them make of feveral kinds in *Flanders*.

Letters of the *9th* from *Frankfort*, arrived this Morning, fay, M. *de Turenne* arrived on the *7th* at *Mariendale*, within 6 Hours of the Avant Guard of the Emperor's Army: That this laft was changing his Courfe, and turned now his March upwards, through *Franconia*, by the Way of *Wartsburgh*; that he was about 24000 Men; and that if the Number were 34000, as fome gave them out, Monfieur *de Turenne* did not doubt of the Succefs: It is at prefent the great Crifis of our Negotiation, God grant it profperous. We are, *&c.*

To Sir *William Lockhart.*

Cologn $\frac{4}{14}$ *Sept.* 1673.

Sir,

We have yours of the *9th* of *September* from *Nancy* to acknowledge; wherein you are pleafed to let us fee, what Applications you have made in that Court, for Power to the *French* Plenipotentiaries here, to joyn with us in prefixing the *20th* of *October*, N. S. for our laft peremptory Term to the *Dutch*. We muft take Leave to obferve unto you, that we know not how it comes to pafs, that we are directed to prefix the *10th* of *October* N. S. *viz.* the *30th* of *September* Englifh St. and you are to propofe the *20th* of *October* N. S. in that Court: However, as you find little Inclinations there to this Propofal, fo we find it not well relifhed here; for the Mediators have taken a great Alarm, as if we were fuddenly to be called Home, and therefore have put themfelves upon a Project, to keep the Treaty on Foot; (as you will fee by a Letter here inclofed, which they fent two Days ago to the *Dutch* Ambaffadors) by taking it for granted, that our Mafter has fomething ftill to moderate and *relâcher* in his great Points.

We have protefted to them with all Solemnity, that there is no fuch Matter, and defired them not to perfwade themfelves, or to give the *Dutch* Caufe to fancy, that our Mafter will come lower, in any Circumftance of the 7 Points, which we here inclofe, in the very fame Words we firft gave them to the Mediators, and then dictated them to their Secretary.

They do not mention the Herring Fifhing in this Letter they write to the *Dutch* Ambaffadors, but that which the *Dutch* would be at is, to redeem the Annual Acknowledgment (of 10000 *l.* for *England*, and 2000 *l.* for *Scotland*) with one round Sum. The Eftablifhment of the Prince of *Orange* Hereditary Stadtholder, is that which we are worft furnifhed in Point of Argument to contend for; for when the Mediators prefs us, as they often do, with asking how we come to give Laws to a Government that in no wife depends on us? How we can expect they will endure to have the effential Form of their Government changed, and all that without the Defire, and againft the Will of

of the Prince himself? We have no more to answer, but that the Generosity of our Master does oblige him to do all he can to establish a Family, that that Government did its utmost Endeavour to ruin, for his Sake.

It is now 9 or 10 Days, since we desired the Mediators to let the *Dutch* know, we expect their categorical Answer upon the Ultimatum here inclosed, within 15 Days: The *French* Ambassadors joyn'd with us, to prefix the same Time for an Answer to themselves; but without any Intimation from either of us, that their not doing it would be taken for a Refusal; we reserving to do that, in Case we give them 15 Days more, as we intend to; and may do it after the Expiration of the first 15 Days, and all within the 10*th* of *October*, *N. S.* The Mediators do in a Manner threaten us, that they will declare those that are first called off this Place, to be the Cause that the Treaty hath not succeeded: and we are not without a Jealousy, that they are set on to do it by our Allies; who are afraid that the *Dutch* will not for Shame dare to refuse us a Peace, upon the Terms we are now come to; and that they will offer it in *England* as soon as we are gone hence, in Hopes that the Parliament sitting, there will be less Difficulty to accept it. We are, &c.

To the Earl of *Arlington*.

Cologn 5/15 *th Sept.* 1673.

My Lord,

In our last that we had the Honour to write to your Lordship, which was of the 1/11*th* by the Ordinary, (a Duplicate whereof goes herewith inclosed) we gave your Lordship an Account, that the Mediators were possessed of our Article of the Flag, in the very same Words, that we hope to have it couched in the Treaty; and also, that we had given in to them, a Scheme of those Points in the *East India* and *African* Trade, which we pretended to have adjusted, and inserted into this Treaty, leaving other Points to a Treaty hereafter, to be had on Purpose, for the general Settlement of our Commerce; the Copies of which Article and Scheme go now along.

We gave your Lordship likewise an Account, of the Apprehensions the Mediators are now in, that the *Dutch* Ambassadors and we, are upon the Point of being recall'd very suddenly; as also of a Project that the Mediators, upon that Consideration, are now entered upon, in Order to engage us to stay here, and to continue the Course of this Negotiation; conceiving, they have a Right to challenge from each Party, an Answer to those Overtures, and an Attention to those Debates, that they the Mediators are pleased to set on Foot upon the several Pretensions.

This Project or Overture, your Lordship will best see and judge of in their Letter, which they sent on *Wednesday* last to the *Dutch* Ambassadors, and which we have here inclosed in Cypher: To this the Mediators are pleas'd to add, in their Applications to us, and the several Parties, that they are resolved to protest against that Party that shall break off the Course of this Negotiation, and go away; and to pronounce such going away, (notwithstanding their Instances for our continuing here) to be the Cause of the Miscarriage of this Treaty.

YESTERDAY we took Occasion, in a Visit, to repeat to the Count *de Tott*, and M. *Ehrensteen* severally, (for they continue still indisposed) what we had declared on *Tuesday* Morning to M. *Sparr*, upon Occasion of this new Project and Declaration of the Mediators, *viz.* that as, on the one Side, we thought ourselves obliged to submit to their Excellencies Method and Conduct, in the managing of this Treaty, and to conform ourselves to what they prescribe us; so, on the other side, it was a Duty that lay upon us indispensably, to make it our humble and earnest Suit to them, not to go upon that wrong Supposition; as if the King our Master would be brought still either to *relâche*, or to moderate his last Demands; for that we had given in, *bonâ fide*, his last and lowest Ultimatum three Weeks ago; so that they were not to expect any the least Abatement in what Circumstance soever.

THE Answer which C. *Tott* gave us, was, that the *French* Ambassadors had made such another Declaration as ours was; and that the *Dutch*, after they had received the Mediators Letter, had come to them with a very formal Protest, that the Mediators ought not to have pressed them, as they do by that Letter, to make any further Offers upon our Demands; but that, on the contrary, we ought to be brought to (yet) further Abatements: This the Count told us, confirm'd them, the Mediators, that they were so far in the Right, and within the due Bounds of their Office; in that all the Parties had taken Occasion equally to complain of this Conduct, that therefore they would pursue their Point, so as to obtain an Answer; or else to declare him notoriously in the Wrong that should refuse it; but he declared withal, that notwithstanding this their Project, it should be entire to our Master, as to each Party, to adhere to his Ultimatum, as it was delivered to the Hands of the Mediators; adding, that as they had had, upon all Occasions, full Satisfaction in the Sincerity and Frankness of his Majesty's Proceedings, and in his Forwardness all along to bring this Treaty to a good Issue; so they had not had to this Day any one Offer from the *Dutch*, tending to the Satisfaction of his Majesty.

COUNT *Tott* in this Conversation reckon'd, that his Majesty owes the Prince of *Orange* 200,000 Pound, which the States taking upon them to discharge, and paying the King 600,000 Pound, the remaining Sum will be too inconsiderable to break this Treaty upon, and to continue longer in so bloody and so expensive a War; he did not enlarge (as his Custom hath been at other Times) upon the Point of the Fishery, nor the Prince of *Orange*, which are both omitted in the Letter to the *Dutch* Ambassadors, the Reason of that Omission he had given in another Conversation; it was, that their main Hopes and Design by this Project, being to keep us and the *Dutch* from parting, he thought one single Point would be sufficient to continue the Negotiation upon; and they had chosen that, that had the least of Difficulty in it, reserving the others to a Time, wherein they should find their Spirits better dispos'd to a Peace, and not so searching for Occasions to come to a Rupture; for the same Reason they had, he said, purposely mentioned no more but the relinquishing of the Isle of *Voorne*, Fort St. *Andrè*, and *Haut Pais de Gueldrè*, in the Letter which they had written to the *Dutch* Ambassadors upon the Concerns of *France*; they had not made the least mention of the great Sum which that King demands of the *Dutch*, nor of any other principal Points, besides the three Places above-specified; contenting themselves with that Point only at this Time, taking it for granted, that while one single Head of this Negotiation holds, they may bring on the rest of the Points when they see it seasonable; whereas, if their

Work

Work be once wholly interrupted, it will be in a Manner impossible to knit it together again.

We were told in this Conversation, that they, the Mediators, had newly received Letters from their King, wherein he did, with Expressions of singular great Satisfaction and Joy, congratulate our Master's having departed from that great Point of cautionary Towns: Not without promising himself, (the Count told us) that in such other Points as should prove of extream Difficulty, his Majesty would continue still to let the World see his great Moderation and Zeal for the Peace of Christendom: It was added, that their Master, in his Letter, did wish that the *French* had not given to the Emperor that fair Pretence he now has, to declare for the Protection and Relief of an Elector and his Country, which cannot but meet with great Applause; yet that the King of *Sweden* declares that he has several Causes to be highly dissatisfied with the present Conduct of the Emperor, who of late carries himself not as the Chief of an Aristocracy (those were the Words), but as an absolute Monarch; which the Empire will not allow him to be by any Means: He instanc'd in a Town that he hath lately given away by his Sentence from the Prince Elector *Palatine*, and he spoke of several other Sentences that have been lately given, by Measures not suited to the limited Powers of the Imperial Court.

Yesterday the *French* Ambassadors gave us notice with Solemnity, of the Orders they had had from Court, to comply and joyn with us in prefixing the 10*th* of *October*, *N. S.* for a Term, wherein the *Dutch* should be required to give in their categorical Answers upon the Ultimatums of the two Kings.

They intimated unto us, (and it seemed to be done by Way of Anticipating of us) that it was their Sence, that the Menace we are to deliver together with this last Term, shall be to this Effect, *viz.* "That in Case we have not then a categorical Answer, we shall hold "ourselves free, and discharg'd from all the Concessions and Abate- "ments, that we had made at any Time before, and shall be at Liber- "ty to do, as we shall see Cause.

These Words we take to be much softer, than those we are by your Lordship's of the 18*th* of *August* commanded to use; for in Case we have no categorical Answer, and that the *French* will joyn with us therein, we are to declare that his Majesty will hold himself then refus'd; so that if the *French* Ambassadors do joyn with us, in declaring the not giving an Answer, to amount to a Refusal, yet we do believe they will expect more special Orders to concur with us in breaking off the Treaty; partly from the Way that they have proceeded hitherto all along, in taking Care that no *Expressement*, or Concern to bring the Treaty to a Period, should appear on their Side; and in desiring, and advising, that none likewise should appear on ours; partly from the Opinion in which their King and M. *Pompone* were found to be in, even against prefixing a Day, when Sir *William Lockhart* proposed it: The Orders now given for the prefixing it, being meerly in Complaisance with his Majesty, as appears by the Copy (inclosed) of a Letter, which we received yesterday from *Nancy*.

The *French* Ambassadors and we, have taken some Time to deliberate severally, how to execute his Majesty's Commands in this Point: We would be glad to give Way to the *Dutch* to prevent us; but 'tis probable they stay, in Hopes that the Contemplation of our Parliament sitting in *October*, may force us to make this Step before them; for tho' in their Letter of the first of *September*, (wherein they called to the Mediators

diators for our *Ultimatum*) they pretended the State of their Affairs would endure no Delay; and that unless they had what they ask'd next Day, they must break off the Course of their Negotiation; we have not heard any Thing more of their *Expressement* ever since.

We have the Honour of your Lordship's of the *29th* past, now come to our Hands, which we acknowledge with all humble Thanks: It is so scarcely out of the Cypher, that we must beg your Lordship's Respite till the next, for our enlarging upon it: Only we may assure your Lordship, that as we are for our own Parts, in all the fair Correspondence possible with the *French* Ambassadors, so we have taken all Occasions to check those Reflexions, that are endeavoured to be spread abroad to the Prejudice of the *French*, in Reference to the late Fight at Sea; we are sure that the *Dutch* Ambassadors are most busie in spreading abroad, that there is a Misunderstanding between the two Nations, and they assign a Miscarriage at Sea to be a principal Cause of it.

We have therefore hitherto looked upon it as their Artifice; and have given it all the Discountenance we have been able accordingly. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{9}{19}$*th Sept.* 1673.

My Lord,

In our last of the $\frac{5}{15}$*th* Instant, a Copy of which goes here inclosed, we gave your Lordship an Account of the Orders the *French* Ambassadors had received, to joyn with us in fixing the 30*th* of *September*, O. S. according to the King's Instructions to us, for a final Answer from the *Dutch*; and that we had taken Time each of us to consider, when, and in what Manner, to proceed to the executing that Order. In the Interim of which, having received the Honour of your Lordship's of the 29*th* past, which we had Time only to acknowledge in our last, containing his Majesty's Directions to persist still in the utmost Points of his Demands, as enjoyn'd us in your Lordship's of the 28*th July*, as also upon some Representations we had humbly taken leave to make to his Majesty, of the Importance it seemed to be of to his Majesty's Service, that if the Negotiation must break off without Effect, it should break first on the Part of *Holland*, rather than ours: His Majesty is there pleased to leave it to us, and the *French* Ambassadors, to make Use of the aforesaid Directions or not, as we should see Cause. Whereupon, having taken Audience of the *French* Ambassadors yesterday Morning, we did acquaint them of this last Signification of his Majesty's Pleasure, whereby we were at Liberty, upon Advice with them, to execute or not execute the first Orders, of fixing the 30*th* of *September*, as should be judged most to the Advantage of our Master's Service; so as we said our Business was to consider with their Excellencies upon that Point. They answered, that the King their Master having given in to that Resolution of setting a Day, meerly in Contemplation of the Interest our Master's Affairs seemed to have, that Matters should not be doubtful at the Meeting of the Parliament; but that the King might be able to say, whether there was Peace or War; they thought their Part was to go the Way we desired; and that the Judgment of what was fit to be done in this whole Matter, was to arise from us: We replied, that we apprehended the King our Master had concluded it absolutely necessary for him to be

at a Certainty, as to the Issue of this Negotiation, whether Peace or not, before the meeting of the Parliament, for Reasons that any body might easily judge; so as that was the great Point we conceived the King had laid down to himself; but the Way and Manner how to bring the Negotiation to a Certainty within that Time, was left in a great Measure to us upon the Place, with the Advice and Concurrence of their Excellencies: In order to which, it having been at first agreed on all Hands, that it were much to be wished, if the Negotiation must be broke off, or the Assembly parted, that it should be the *Dutch* that should do it, and not we. The Point in Deliberation now seemed to be, whether and how far it was probable, that within the Time our Master's Affairs will oblige him to be at a Certainty, the *Dutch* will of themselves come to break off the Negotiation, leave the Assembly, or set us a peremptory Day, under some such Denunciation as we are thinking to do to them; for if we can have any fair Likelihood of that, we should be of Opinion, by no means for us to set them any such Day: This, we said, we took to be the State of the Question, and we prayed their Excellencies Opinion of it.

It was remembred, that ten or fifteen Days ago, before we had set them the 15 Days, the *Dutch* were very hot upon this Point, of pressing for our lowest Terms by a Day, of threatning that they must be at a Certainty by the 15*th* of this Month, of laying Wagers they should not be here the 20*th*, &c. that all this had grown cold since they had found us setting them a Day; and it was not now so easy to judge what the *Dutch* would do in that Particular; But however, their Opinion was, that considering there were at present two Matters upon their Hands, which would oblige them in a few Days to speak out a little plainer, *viz.* The Term of 15 Days prescribed them by us, to answer to our last *ultimatums*, and the new Overture or Proposition, on the Part of the Mediators, for reviving the Negotiation; that the Ambassador's Opinion was, that we should have Patience three or four Days, to see what kind of Answers they made to those two Matters, before we took any Resolution, as to the fixing or not fixing the 30*th* of *September*: That if the Answers were not reasonable, and in some Measure satisfactory, it was probable they would be very extravagant; and so might furnish us an advantageous Rise and Occasion for the making that last and great Step, of setting a final Term for the Negotiation. And in this Resolution we all agreed, and so left that Point; resolving, as to the other, in a Day or two to call on the Mediators, for an Account what Answer the *Dutch* have made to our *ultimatums*, now that the Term prefix'd them of 15 Days is expired: Which, if it prove to be a flat Negative, as we have been told by C. *Tott* it is like to be, we intend provisionally to make Use of it, as an Argument to prepare the Minds of the Mediators, and to justifie the Proceedings of the two Kings, in resolving, after so much Patience, so many Applications in vain, to bring the Negotiation to an Issue: Because, as we have intimated heretofore to your Lordship, we find the Mediators will oppose very strongly and seriously, any Step that leads to the breaking off, or putting an Issue to the Negotiation; how ready soever they are, on all Occasions, to justify the fair Proceedings of the two Kings, and to condemn and blame the Perverseness and Arrogance of the *Dutch*. And this is another principal Consideration, that makes it advisable, above all Things, to have that Step made by the *Dutch*, and not by us.

In the close of this Matter with the *French* Ambassadors, we took Notice to them of a small Difference we said we had observed in the

Terms

Terms of their Orders, as they had repeated them to us, from those we received ours in; which was, that when we are directed to declare, that for want of Satisfaction by the Day to be prefixed, we should declare our Master would hold himself for refused: Their Orders ran, — to declare, that the two Kings would from henceforth hold themselves disengaged from any Terms and Conditions they had hitherto offered, and to be at Liberty in their Demands for the future, *&c.* which, we said, we had observed, not for any great Difference there seemed in Reality to be in the Thing, but only to speak of it timely enough, that when we should see Cause to make the Declaration, we might both of us be exactly in the same Words, as well as Sense. They told us, they understood the Thing to be the same, and indeed, that they saying what they did of their Master's being disengaged, *&c.* was to go a Step further than what we did; but that, however, they were ready to adjust their Words upon those we had prescribed us, and would say just as we did: And so we think ourselves agreed in the Words of what we are to say, when we shall have resolved that that Step is to be made; which is the great Point that now lies on our Hands to take Care in.

As we were parting, the Ambassadors acquainted us with a Proposition, now lately set on Foot between the Mediators and certain Princes of the Empire principally, and in the main for the favouring the Issue of this Negotiation, but under the Notion of preserving the Peace of *Munster*: The Business is, to invite certain of the best affected Princes of the Empire, as *Brandenburgh*, *Bavaria*, *Newburgh*, *Wittenburg*, *Brunswick*, &c. to send their Ministers hither, to consider of the State of Things, and to concert together of some common Measures to be taken among themselves, and with such other Princes and Members of the Empire as should joyn in the Confederation, for the preserving the Peace of the Empire, according to the Treaties of *Westphalia*: This is the Outside of it; and in order to it, the Duke of *Newburgh* has already written to the Elector of *Brandenburgh*, and the rest, to consider of the Proposition; and it's hoped, as they say, that in a Month or five Weeks there may be some Effect of it. The Secret of this Design is, as the Mediators say, to have some body on the Part of those Princes, to be truly and throughly informed of what has passed in this Negotiation, how far and how frankly the two Kings and their Allies have condescended in their Demands, in order to a Peace. That if it does miscarry, it must be wholly charged upon the Insolence of the *Dutch*, supported and heighten'd in that Temper by the House of *Austria*; and that therefore it is the Part of all that truly tender the Peace of the Empire, to think of Ways of bringing them to Reason, *&c.*

This is said to be the true Intent and Aim of this Design; but we find on the one Hand, by the *French* Ambassadors, that their Opinion is, that *Sweden* finding itself very backward in its Preparatives, for any real Action; which, by the Treaties of the last Year, it ought long before this Time have enter'd upon; and suspecting that this is so taken Notice of in the Empire, that they begin not to be altogether in that Consideration they hitherto had been in, in this Part of *Europe*; and that therefore there is but small Weight like to be put upon their Mediation: They are now thinking of drawing together Parties for a new Confederation in the Empire, in which they will hope to be considered as the Head, and by that Means to render themselves at least considerable by Negotiation and Alliance, seeing they are no longer so by their Arms.

This,

THIS, the *French* Ambassadors fancy, is the secret Reason that moves the *Swede* in the Matter: On the other Hand, we think, by what we have heretofore sometimes observed to your Lordship, from the Discourses of the Bishop of *Strasburgh*, and Prince *William* his Brother, that the particular Consideration they have in such a Design, might be to interest more of the Body of the Empire in the Negotiation of this Peace, by which Means they should lessen the Envy and Reproach which they think at present lies singly on them, to have joyn'd themselves with Strangers, (as they call the Party and Alliance of *France*) against the Quiet of the Empire; and at the winding up of the Peace, be able to obtain better Conditions for such Members of the Empire, as are concern'd in the Treaty, especially for their Principals, the Elector of *Cologn* and Bishop of *Munster*, than they find they have Reason to expect now, that *France* so much overweighs in the Ballance, and that the Mediation lies wholly in the Hands of *Sweden*. This is a Subject those two Princes have spoken very often and very freely to us upon, and 'tis plain this whole Matter has risen originally from them. What it will come to, cannot yet be foreseen; but the *French* Ambassadors have answered, they had nothing at all to say to it, their Master had therefore wholly rejected a like Overture, and they do not know but that it is his Mind still; if Prince *William* has a Mind to go and represent it at Court, as he has, it seems, proposed to do, he may; but they can give no Encouragement to it.

UPON the whole Matter, we still find the *French* Ambassadors very much perswaded of the good Intentions of the *Swedes*, as to our Interests in the Success of this Negotiation, one Way or other; and upon this Occasion, M. *Courtin* let fall as an Argument, that they, the Mediators, are still at Work, the best they can, for the two Kings; that they perceived plainly upon that Plan, the Mediators were endeavouring to get the Peace for us, to wit, that *France* should depart from those last mentioned Places of the Island of *Voorn*, Fort St. *Andrè*, and Part of *Guelderland*; and that we, on our Part, should accept in the Article of Fishery, of one entire Sum of Money, by Way of Acknowledgment, in lieu of an Annual Sum, payable to Perpetuity; and next, to find some Temperament in the Business of the Prince of *Orange*, as to the Circumstance of making the Charges Hereditary; and that, he said, they found by the Mediators, was the Plan they design'd to bring it to. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{11}{21}$*th Sept.* 1673.

MY LORD,

SINCE our last, which was of the $\frac{4}{14}$*th Sept.* by the Ordinary, a Duplicate whereof goes here inclosed, we have the Honour of your Lordship's of the 5*th* of *September*, O. S. by Mr. *Smith* the Express, to acknowledge; wherein your Lordship is pleased to favour us (among other Things) with an Explanation of his Majesty's gracious Pleasure, upon two Heads of our present Negotiation: The one, touching the Term of the 30*th* of *Sept.* O. S. to be prefixed to the *Dutch* Ambassadors for their Categorical Answer; the other, touching three of our great Points, in which the Mediators have been earnest with us, to represent to his Majesty, that it is their most humble Suit to him, that

he will pleafe to defcend to fome further Moderation and Temperament, fuch as they have propofed, and we have conveyed (as from them, not from ourfelves) to your Lordfhip, in each of thofe Points.

As for this Term to be prefixed, we were not without great Anxiety, till now that we have his Majefty's moft gracious Pardon for dividing it, which we fhould not have prefumed to do, but that the *French* Ambaffadors (without whofe Concurrence we were not in a Capacity to prefix any Time) were clearly of Opinion, that we fhould divide it; and alfo that we forefaw, his Majefty's Orders would reach us (as they do) Time enough to rectify what we had done, if his Majefty fhould think it neceffary to prefix the 30*th* of *Sept.* O. S. as the longeft Day, beyond which his Majefty would not expect an Anfwer, but take himfelf for refufed.

We have had a ferious long Debate with the *French* Ambaffadors upon this Subject, fome few Hours before the Arrival of this Exprefs, which was on *Wednefday* about feven in the Afternoon; and we came to a Refolution, that they, and we, and alfo our other Allies, fhould feverally (as we for our Parts did yefterday in the Afternoon) demand Audience of the Mediators, wherein our Bufinefs was to mind them, that it is now 16 or 17 Days ago, fince we gave in his Majefty's *ultimatum* to their Hands; that we had made it then our Prayer to their Excellencies, to procure us an Anfwer from the *Dutch* Ambaffadors within 15 Days; that now this Term is fully elaps'd, and that we defire to know, if their Excellencies were poffeffed of any Anfwer; and if fo, we defired them to impart it to us, that we might, according to our Duty, tranfmit it to our Mafter.

The Mediators Reply was, that they had not yet any Anfwer from the *Dutch* Ambaffadors upon our *ultimatum*: they had heard indeed, they faid, from the *Swedifh* Minifter at the *Hague*, that the Bufinefs was come thither, and was lately under Deliberation; they added, that M. *Van Beverning* had fpoken fome Things in general to that Minifter upon this Subject; reprefenting the Demands of the two Kings and their Allies, as not moderate enough, in order to become the Foundation of a Peace, nor fuch as the States would be able to comply with: The Mediators were pleafed to fay, they would within very few Days fpeak with the *Dutch* Ambaffadors upon this Subject, and call for their Anfwer: This being all that paffed upon this Matter in that Audience.

We fuppofe the Anfwer of the Mediators to the *French*, and the other Allies upon this Subject, will be to the fame Effect: How earneft they, the Mediators, will be with the *Dutch* Ambaffadors, for an Anfwer to our *ultimatum*, we cannot tell, fince they are by this Time informed more clearly of the Engagements the *Dutch* are under, than probably they were when they gave us this laft Audience; and whether they will demand a Compliance from the *Dutch*, to the Project that they, the Mediators, are entred upon, rather than prefs for an Anfwer to our *ultimatum*, we are not able to conjecture from any thing that fell from them; only the Project feems to be the more practicable, in that it aims at no more than to get fuch an Anfwer from the *Dutch* Ambaffadors, upon one only Point (and that none of the hardeft) in each Parties *ultimatum*, as may keep the Negotiation here alive, and not give the *Dutch* a Handle to break it off, upon a Heap of Difficulties, which is a Pretext they would be glad to clofe with (as the Mediators fay they fufpect) in this Conjuncture.

Yesterday Morning we acquainted the *French* Ambaffadors, with the Compliance his Majefty is pleas'd to come to, in putting off the Period

riod he desires to prefix to this Treaty, for 10 Days longer, out of Regard to the Most Christian King's Affairs; notwithstanding, that his Majesty is extreamly concern'd to be at a Certainty, either of a Peace or a War, in Order to take his Measures against the Time his Parliament meets in.

Hereupon the *French* Ambassadors and we resolved to sit still, having made our Instance now after the 15 Days last expired, and to expect what the *Dutch* will do, and what the Mediators can draw from them, between this and the *5th* of *October* this Stile: At which Time we shall have 15 Days still in Store, to give the *Dutch* Ambassadors for their Answers, and then we shall prefix the twentieth to them, (in Case his Majesty do not think fit to prevent it, by Orders to the contrary) with a Denunciation, that if we have not their categorical Answer by that Day, *Le Roy se Tiendra refusé*, those being the Words of our Instructions, and further, — *se tiendra degagè de toute parole donnè & desistement fait, & Sera en Libertè entiere de faire comme il trouvera à propos*, which it seems are the Words that the *French* Ambassadors are tyed to; They and we having agreed to express ourselves by Way of Discourse, both in the one and the other; but we perceive plainly that they have no Mind, and further, that they do confess, that they have no Power, to use any Words or Menaces, tending to the breaking up of this Assembly; and we acknowledge, in all Humility, that his Majesty's great Foresight prevents a Difficulty, that we, for our Parts, and indeed the whole Affair, would have been brought to, in that he is pleas'd to dispense with us from making any Mention of a Rupture, till he hath so concerted it with the King of *France*, and the other Allies, that all the Plenipotentiaries shall be directed, as well as we, at one and the same Time, to make that Denunciation.

But that the Rupture will be made by the other Side, before we can come at the Period we intend to prefix them, is more than probable, and not only from the present Height and *Fiertè* of the *Dutch*, which the Mediators do complain of; and others do take notice of, now of very late Days more than ever: We send your Lordship, by this Conveyance, an Evidence which seems to us but little Short of a Demonstration; for we send your Lordship a Copy of a Treaty, signed the *30th* of *August*, by M. *de Lyra* for *Spain*, and by *Van Beverning* and others for the States; the *French* Ambassadors had it transmitted to them from their King, with Orders, they say, to communicate it to us, which they were pleased to do yesterday Morning. We shall not presume to make any Remarks to your Lordship upon it, but what Concerns the breaking of this Treaty: In the *13th* Article it is stipulated, That when the *Dutch* find they cannot get a Peace, "the Catholick King "shall enter into open War jointly with the Emperor; *aussi-tot apres* "*la premiere Requisition que en Sera faite*, by the States General to the Governour of *Flanders*; and in Case this Requisition be made before the Ratification comes from *Spain*, for which there is two Months Time allowed, to be reckoned from the *30th* of *August*, the Governor must act with all his Forces *par Provision*, that is (as we humbly conceive) as vigorously, and in the same Manner, as if the Ratifications were already exchanged.

In the *14th* Article it is said, that the War being entered upon by *Spain*, the States do oblige themselves not to keep on Foot any longer the Assembly now established at *Cologn*, or to enter into Negotiation for Peace or Truce for some Years; so that, upon the whole Matter, the Rupture of *Spain* will fall out of Course by the *30th* of *October*, if the

Treaty be ratified; and there are some Probabilities it may be declared before that Time; for, not to mention the present Brags and Expectations of the *Dutch*, the calling Home all the *Spanish* Supplies out of *Holland*, the *French* Ambassadors have Advice, that *Spain* is bound by Treaty to the Emperor, to declare against *France*, as soon as the *Imperial* Forces shall have advanced as far as the *Rhine* Side; to all these boding Things, when we add the Judgment of the Mediators, we have Reason very much to fear the Success of this Treaty: We gather it from M. *Sparr*, who, in private Conversation, hath told us severally, more than once, that there is no good to be expected from this Treaty; that the *Dutch*, in all Probability, will break it off e're long; that the Mediators have advised their Master, that no good is to be expected from this Place; that now he must resolve upon other Measures, adding, that our Master must do the same. —— *il faut se preparer, il faut s' armer, il faut forcer, celle Canaille la a la Raison* —— Those and the like we observe to be his Words, with a great Mixture of Indignation; so that what Step soever his Majesty shall please to prescribe us here, as to the breaking up of this Assembly, it is very much our Fear, that the Measures are long since taken to frustrate the Ends of it, and to continue this War.

Here we take Leave humbly to suppose, that his Majesty, upon View of the whole Matter of this Dispatch, may possibly alter his Determination of prefixing the 20*th* of *October*, this Stile, to the *Dutch*, and adjourn it to a longer Day; for if *Spain* should happen to suspend its declaring against *France* this Fortnight yet, within which Time we hope to have the Honour of his Majesty's more particular Command, yet we cannot but think the View will be still more and more gloomy and threatning on that Side; and the *French* will be very loth to joyn with us, on the 5*th* of the next Month this Stile, to prefix the 20*th*, *viz.* 15 Days, for the *Dutch* to give in their Answers; for they, the *French* Ambassadors, will be still in Expectation, that the *Dutch*, by vertue of their Treaty with *Spain*, will break up this Assembly, which they and we cannot but reckon upon as an Answer more categorical and advantageous for us, than that which they are like to bring in upon our Instance to the Mediators. We, for our Parts, do understand the Rule that your Lordship is pleased by your last to refer us to in this case, of setting a Time to the *Dutch*, to be that great End his Majesty proposes to himself, with all the Reason in the World, from this Negotiation, *viz.* a Certainty undeniable against the Beginning of this Session of Parliament, that he hath been refused a Peace, and therefore that he must go on with the War: That Evidence (as we humbly conceive) will be then only undeniable, when the Assembly here is absolutely dispersed, and the Mediators have left it *sine die*; or else, when his Majesty hath been pleased to recal those, that on his Part have the Honour to assist in it: This last, we perceive by your Lordship, his Majesty will not suddenly come to, until the rest of his Allies (which is not to be expected before the Meeting of the Parliament) do the same Thing. The Evidence therefore to the Parliament must be rais'd from the dispersing of the whole Assembly, and not out of any Denunciation or Menace, that we, the *French* Ambassadors, or all of us joyning together, can make. That Piece of Evidence, the *Dutch* (if they pursue the Method and Steps that they have already made) will be sure to furnish, by the Beginning of *November*; and if they do not, we cannot perswade ourselves, that his Majesty's Allies will be brought to it in that short Time, that suits with the Beginning of the approaching Session.

There-

THEREFORE we moſt humbly beg your Lordſhip, to intercede with his Majeſty for a Pardon, that we beg to know his gracious Pleaſure, how we are to govern ourſelves upon the 5*th* of *October*, or thereabouts, in prefixing, or not prefixing, the 20*th* to the *Dutch*, for their Anſwer; becauſe we foreſee very apparently, that the *French* Ambaſſadors will be (if the Face of Affairs do not change very much) for the adjourning of the Denunciation we now intend, to a yet further Day; and in this we hope we are the more capable of his Majeſty's moſt gracious Pardon, becauſe of that fundamental Point in our Inſtructions, of carrying on this Negotiation, in all the Parts of it, with the *avis*, and of Concert with the *French* Ambaſſadors: It hath always been our Endeavour, upon thoſe Views and Intereſts of our own, which are different from theirs, to bring them over to our Side; and when we have not been able to do it, we then thought it our Duty to lay down their Arguments (not as ours, but as theirs) before your Lordſhip: But in thoſe Caſes, wherein we cannot obtain from them that which we contend for, we take Leave to think it to be his Majeſty's Meaning, (and we have hitherto govern'd ourſelves preciſely according to that Rule) not to ſeparate, and take a different Courſe from them, in any Act or Application that is here to be made, without his Majeſty's expreſs Directions in the Point; and ſo we ſhall beg Leave to do in this caſe of prefixing the 20*th* of *October* to the *Dutch*.

THE other main Head, which your Lordſhip is pleaſed to enlarge upon by this Expreſs, is an Explanation of his Majeſty's gracious Pleaſure upon three of our principal Points, wherein the Mediators had delivered their Sentiments and Deſires to us, of a Temperament and Moderation in them, to be yet obtain'd from his Majeſty, charging us (notwithſtanding the Proteſtations we made, that his Majeſty's laſt Mind was now *bonâ fide* depoſited in their Hands, and that it would be in vain to ſeek from him any further *Relâchement*) ſtill to repreſent it to his Majeſty, as their humble Suit, for a further Moderation; yet promiſing us at the ſame Time, that they would labour to obtain his Majeſty's Satisfaction in theſe Points, as amply and fully as we deſir'd it, without giving the *Dutch* any the leaſt Light or Hopes, that they, the Mediators, had any Petition depending before his Majeſty, for a Temperament or Moderation.

IN the Article touching the Prince of *Orange*, we underſtand his Majeſty's Pleaſure to be, that the Peace is not to be broken upon the whole, or any Part of it; but that if the *Dutch* allow of his Eſtabliſhment, but contend for a Temperament in our Demands, that we ſhall labour all that we can poſſibly, to have the Dignities he enjoys at this preſent, ſettled and confirmed upon his Highneſs during Life, as amply and fully as any of his Anceſtors enjoy'd them: But to relinquiſh (in caſe the Importunity of the Mediators force us to it) the Pretenſions we now have for his Deſcendants.

WHAT his Majeſty is now pleaſed to direct, in the Point of the Fiſhery, *viz.* that we hearken not to any Offer of a Compenſation, in lieu of that annual Acknowledgment that his Majeſty expects, we have had the good Luck hitherto, to execute as far as we have been able to prevail with the Mediators, to take Notice either of our Reaſons or our Earneſtneſs; ſtill telling them, that it now, and always would be, the Paſſion of the King, and the Subject of *England*, to aſſert and preſerve that great Royalty; nor have they, the Mediators, ever offer'd us this Compenſation in the Name of the *Dutch*; they have ſtill own'd it as a Temperament of their own finding out, excepting that M.

Ehrenſteen

Ehrensteen let fall at one Time, that he had found M. *Van Haren*, upon his first appearing here, not averse from complying to this Expedient.

In the last Conversation we had with the Mediators, when they happen'd to touch upon that String, they seemed to say, that tho' the *Dutch* should be unwilling to give any Thing by way of Acknowledgment for the Liberty they have of Fishing in the open Seas, yet that it appears to them, the Mediators, not unreasonable to pay an Acknowledgment, in case his Majesty should accord a Liberty to the *Dutch* to dry their Nets, and to accommodate themselves in the same manner as our own Fishermen do, with the Conveniencies of our Shoar. The same Thing having fallen lately from some of the *Dutch* Ambassadors, we are apt to believe there is a Design to elude that Establishment, which his Majesty intends of his Right and Prerogative, by inserting, that Consideration of Conveniencies to be allow'd these Strangers upon our Shoars, as the principal, if not the only Thing, for which they would pay their Money: We therefore think it our Duty, upon this Occasion, to beg the Honour of knowing his Majesty's express Pleasure, whether or no, in case the *Dutch* do come up (whereof we have but little Hopes they will) to an annual Acknowledgment, and that it be expresly stipulated, that that Acknowledgment is singly and solely in Contemplation of the Liberty of Fishing in our Seas, it shall be further added, —— only as a distinct Grace of his Majesty's, not in Consideration of the Money paid, that his Majesty allows them the Liberty of his Ports in case of Storm, and also the Conveniencies of our Shore in drying their Nets, and accommodating themselves with Huts and otherwise, as our own Fishermen do, provided that this Liberty of coming a Shoar be restrainable, as his Majesty shall see Cause, for the Good of his Government; and as those Persons we treat with, have so much of chaffering in their Genius, that they will labour with Might and Main, to bring us to the lowest Penny possible, we will take Leave to suppose, with his Majesty's gracious Favour, that tho' he gives us Power to abate in the Sum of the Annual Acknowledgment, yet he does not mean, that we shall take less than the one half of that, which our first Instructions bear, *viz.* 5000 *l. per Ann.* for *England*, and 1000 *l.* for *Scotland*.

For the 3*d* Point, which is the Million of Money, we shall understand that his Majesty will abate nothing of it, nor give any Encouragement to that Proposition that is made touching the Prince of *Orange* his Debt, unless we have his Majesty's express Orders to that Effect.

As to the Matter of the Flag, wherein your Lordship is pleased to give us a special Caution from his Majesty, we are extreamly afflicted, that the Project of an Article, which your Lordship is pleased to send us by this Express, came not to our Hands before we delivered into the Mediators (as we did the 11*th* of this Month) an Article in Form, assuring them it was a precise Translate into *Latin*, of those Words, by which his Majesty, after mature Deliberation in his Council Royal, had resolved to have the Article of *Breda* explain'd: We have already sent your Lordship that *Latin* Article, and we send herewith inclosed the *English* one out of which we drew it, which had been approved of by my Lords the Committee of Foreign Affairs, and with the express Direction of his Majesty, commended to us in *April* last before our coming away. Your Lordship, by comparing that Article in the *English* with this now sent us, (they being both drawn into two parallel Columns) will find we are short in nothing, but in not mentioning — the *Cape Finisterre*, and the *North Cape* in *Norway*. We were not without

out Wishes, all the while we were preparing this Article for the Mediators, that there had been Means to ascertain the Bounds of our Seas, as well as there is of clearing that Point, touching whole Fleets striking to a single Ship; but we concluded that his Majesty, and my Lords the Committee, had, in framing the Article, lookt upon it as a Thing so invidious and difficult, as not to be attempted in this Juncture; and if it be his Majesty's Pleasure, that any Thing be yet attempted in it, we are so far from hoping any Assistance from the *French* or the Mediators, that we see very plainly, they have a Difficulty to contain themselves from disputing with us against the Right of striking in the general; yet in the Matter of striking generally in the *British* Seas, we have so many Evidences from Authentick Records at Home, and so many undoubted Testimonies from Abroad, that our Adversaries must yield we are sufficiently founded as to the Usage; but if we should come to insist upon those Limits, and bring Arguments from Geography or Tradition, or be demanded our Proofs or Instances in the Matter of Fact, near those Limits, we foresee that such Objections and Replies would be made upon us, that we must confess we are not yet sufficiently instructed to answer, as becomes the Importance of the Question.

We cannot deny but Disputes may arise, and Consequences of the worst kind, upon Pretence, that the Bounds, within which striking is due, are not yet ascertain'd, and that our Officers exceed the true Limits; but as it is absolutely impossible to prevent these Disputes by Mathematical Lines or ocular Demonstrations, so as that there will not be a thousand Rencounters, which may give a Pretence to a Cavil: So if we attempt to fix the true Bounds, we shall take upon us a Burthen which properly lies upon our Adversaries; for when his Majesty's Right of the Flag is established, as not to be controverted within the *British* Seas, he that affirms, that striking is required of him in a Place that is not to be reputed within those Seas, must prove it; since every Man that founds himself in an Exception to a Rule, is bound to prove his Exception.

But it being our Business to obey, not to argue, we most humbly beg your Lordship's Pardon, that we take the Liberty to represent how unfurnished we are with Arguments to support this Demand, and that we take Leave to tell your Lordship, that we fear the Mediators will look upon it as a Thing much against the Forms, to offer so considerable a Change in an Article, we had given in as our Master's own Dictate; and that therefore if it be his Majesty's Pleasure, that we should contend to have these two Capes assigned, as the Bounds and Extremities of the *British* Seas, it may be as well done in that Article that concerns the Cessation of Hostilities; wherein (according to the Style of other Treaties) there will be Occasion to mention the *British* Seas, and that before we come to the Article of the Flag.

As to your Lordship's other Caution, of getting an Article to confirm foregoing Treaties, (which we suppose your Lordship means) so far as they happen not to be alter'd or derogated from by this, we shall be careful to observe it; and as we have hitherto, upon all Occasions, given the *French* to understand, that there was no further Abatement to be expected in his Majesty's *ultimatum*, so we shall be careful not to give them any the least View of those Condescensions his Majesty frames himself to, in case the Necessity of the Peace do require it, until we do know what are the utmost *Relâchements* that the *French* will come to for the Peace's Sake.

All

All that we have yet learned in this Point is, that the Mediators, in their last Project, writ to the *Dutch* Ambassadors, that they would try what they, the Mediators, could do, in getting the *French* to recede from their Demand of the little Isle of *Voorne*, Fort St. *Andrè*, and *haut Pais de Gueldre*: They, the *French* Ambassadors, seemed at first to disavow this Proposition of the Mediators, but now they have Orders, they say, to come to this Temperament, that the Fort St. *Andrè* shall be raz'd, and that they will oblige themselves not to fortify any where else upon that Island; but they seem now to take it for granted, that the King their Master may be prevailed upon wholly to relinquish his Pretensions to that Island, and that Part of *Guelderland*, which is all that we have been able hitherto to discover in that Point.

We have kept the Express for some Hours, in Hopes to have something worth your Lordship's Notice by the *German* Post; but we cannot hear of any Thing new since our last. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{16}{26}$*th Sept.* 1673.

My Lord,

THE last we presumed to trouble your Lordship with, was of the $\frac{13}{23}$*th* Instant, by the Express Mr. *Smith*, a Duplicate whereof goes here inclosed; since which not much has happened of any kind worth your Lordship's Knowledge.

Saturday Evening, the Mediators, according to the Demand the *French* Ambassadors and we had made to them two Days before, in an Audience they took of the *Dutch* Ambassadors for that Purpose, called upon them for an Answer, as well to the *ultimatums* of the two Kings and their Allies, as to their, the Mediators, Overture, or Project, as they term it, of which we formerly gave your Lordship an Account: The *Dutch* Ambassadors told them, they had not yet received Orders in any of those two Matters; that the Points were then under a Debate at the *Hague*; and that they doubted not but in two or three Days they should have the Resolution of the States upon them. And as we are writing this, we are told by the *French* Ambassadors, that the Answer arrived last Night by Express; that it is a flat Negative to our Demands, and a Refusal even to the Proposition or Project of the Mediators: That the Resolution had been taken in the States, upon a large and vehement Harangue of the Pensionary *Fagel*, representing, in the Name of the Prince of *Orange*, and of the Deputies of secret Affairs, how pernicious it would be to the State, to agree to those Conditions, and how much more preferable a War was, to so unjust and ruinous a Peace. We are expecting every moment to hear from the Mediators upon it, and hope we may yet know something more particular in it before the Post parts.

In the mean time, the *French* Ambassadors have, upon what they represented to the Court of the late Project or Overture of the Mediators, received Orders, to make yet one further Degree of Abatement in their *ultimatum*, viz. the departing wholly from that Part of *Guelderland* between the *Waahl* and the *Meuse*, hitherto insisted upon, and to agree that the Fort St. *Andrè*, in the Island of *Voorne*, shall be raz'd, with an Obligation on the Part of his Most Christian Majesty, not to make any Time hereafter any Sort of Fortification upon that Island; so

so as his *ultimatum*, as to Places, consists now only in the five Places of *Maestricht*, *Grave*, *Bosleduc*, *Breda*, and *Crævecœur*; to which he finally insists to have the Island of *Voorne* added, tho' naked and without Fortification, for the necessary Use it is of, for the Passage and Access to those three last Places; and of this the Ambassadors had already given a Communication to the Mediators, and they to the *Dutch* Ambassadors.

We understand by the *French* Ambassadors, the Mediators, in a late Conversation they had with them, began to touch again upon the old Point of a Suspension, pleading that the Matter having stuck principally with the King of *England*, now that the Season for Action at Sea is pass'd, they had Hopes, upon any Degree of Disposition to it in the *French* Court, that the King our Master might be brought to admit of it; the Ambassadors answered, it was a Point they had been long warned from their Master, not to meddle further in; that absolutely they would not enter into it; that they, the Mediators, might, if they pleased themselves, make the Proposition to the King; but, for their Parts, they durst not give it the Countenance of so much as mentioning it to Court: And so the Matter fell.

The *French* Ambassadors tell us, their last Letters from Court speak, as if the King, upon the Appearances every where of a sudden Breach on the Part of *Spain*, had resolved on some very considerable Enterprize, and in all Probability with relation to *Spain*; but of what kind it is, they say, M. *Pompone* does not tell them, but it is believed a very few Days will discover.

We find the Mediators of Opinion, That that is the only Way now to attain the Peace, and that without a sudden Blow given to the *Imperialists*, or some great Incident to disable or overawe *Spain*, we are to expect but little good of our Negotiation here.

We troubled your Lordship, in one of our late Letters, with an Account of a Complaint the several Ambassadors and Publick Ministers here, had thought themselves obliged to make to the Magistrates of the Town, upon the drawing out 4 or 500 of the Marquis *de Grana's* Regiment, to be sent elsewhere upon Service not known, which was taken to be against the Neutrality of the Town, and might, if such a Thing were once suffered, be of Consequence hereafter, in case the Emperor's Forces should draw down towards these Parts: The Magistrates have deputed to the several Embassies to excuse themselves, that what was done was wholly without their Orders or Knowledge: That the Officers, by whose Orders the Men were drawn out, had answered, they understood the Regiment was by its Oath to obey the Magistrates, while it was in the Town, but that whenever the Emperor pleased, he might order any Part of them away, upon what Service he shall think fit; that they were so commanded away, as that they were not at all to return into the Town again; but that they, the Magistrates, would, however, for the future, take Care, no Part of the Forces at present in the Town, should, upon any Occasion, be marched out of the Town, without first acquainting them with it; and that they would be answerable to the several Ambassadors, that the City should observe an exact Neutrality. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{9}{19}$*th Sept.* 1673.

MY LORD,

IN our laſt, which was of the $\frac{6}{16}$*th*, by the Ordinary, a Duplicate whereof goes herewith incloſed, we gave your Lordſhip an Account, that the Mediators had the Day before, called with Solemnity upon the *Dutch* Ambaſſadors, for their Categorical Anſwer to the *ultimatums* of the two Kings; as alſo for their Reſolution upon the Overture, or Project, which they, the Mediators, had (as we took the Liberty to acquaint your Lordſhip in former Diſpatches) enter'd upon, in order to prevent the tacit diſcontinuing, or (which they were more apprehenſive of) the abrupt breaking off, all Negotiation in this Place: The Anſwer which the *Dutch* Ambaſſadors then gave was, that they had not yet received their Orders, but that within two or three Days they ſhould (they doubted not) receive the Reſolutions of their Principals upon thoſe Matters. And as we were at the writing of our laſt, in Expectation of their Anſwer, (becauſe we had been informed, that they, the *Dutch* Ambaſſadors, had received an Expreſs the Day before) ſo we have been (and not only we, but the Mediators too) under ſome Impatience ever ſince, for an Accoant of this Expreſs, but altogether without Succeſs.

ON *Wedneſday* in the Evening, we gave M. *d'Odyike* a Viſit, in Hopes he would impart to us ſomething upon that Subject; but he told us no more, but that Affairs were at this preſent in a very ill Aſpect for a Peace: That they, the *Dutch*, had been forced to enter into Engagements of vaſt Conſequence with the *Spaniard*, which they would not have done, he ſaid, but that Neceſſity forced them to it: He told us further, that ſome Hours before that Time we were in Converſation with him, he had, in Conjunction with his Collegues, ſign'd a Memorial which concern'd us, and that we ſhould very ſuddenly hear of it from the Mediators; he told us, it was ſomething that concerned the Flag, and the Million of Money; adding, it carried that with it which we would not be able to deny, but was ſatisfactory to our Pretenſions: This giving us a fair Occaſion to ask, whether the Memorial reached to the Fiſhery too? His Anſwer ſeemed to acknowledge that it did not.

WE being put thus to a more than ordinary Impatience, to learn what this Memorial contain'd, apply'd ourſelves firſt to the *French* Ambaſſadors, who told us, that they knew nothing of it; then to the Mediators, they indeed acquainted us, that having underſtood of an Expreſs which the *Dutch* Ambaſſadors had received on *Monday*, and having obſerved, that after Deliberation (which is very probable they had the Day following) upon the Orders which that Expreſs brought them, they had on *Wedneſday* ſpent a great Part of the Day in Communication with the *Imperial* and *Spaniſh* Miniſters, they had judged it not unſeaſonable to deſire them, the *Dutch* Ambaſſadors, to give them a Meeting yeſterday at the *Carmes*, none other of the Parties concerned being ſummoned to that Meeting: The Cauſe of that Meeting, the Mediators told them, was, that they had been informed, that they, the *Dutch* Ambaſſadors, had lately received an Expreſs from *Holland*, which they, the Mediators, did hope and preſume, might bring them an Anſwer

to

to what was then depending, and alſo good Matter to work upon for a Peace: To this the *Dutch* Ambaſſadors anſwered, that it was true they had received ſome Letters from the *Hague*, but they were bid to expect ſome few Days longer, and then they ſhould receive the Reſolutions of their Principals, and Orders to impart them to the Mediators.

To this they added, that the States their Maſters had now agreed with *Spain*, on Meaſures to defend themſelves by a War, rather than to ſubmit to a diſhonourable and ruinous Peace; telling them, that as there had been a Treaty made and agreed on between the Crown of *Spain* and their Maſters, ſo the Ratification had now been brought and exchanged by the one Side and the other.

Here the Mediators took an Occaſion to complain to the *Dutch* Ambaſſadors, of their Want of a juſt Confidence in them, the Mediators, who had, in all their Proceedings, carry'd themſelves with all the Sincerity and Ingenuity towards the *Dutch*; telling them, that they being asked ſome Days ago, whether it were true or not, that they, the *Dutch*, had obliged themſelves by Treaty to diſcontinue the Negotiation here, and to break off this Aſſembly? They had anſwered, there was no ſuch Obligation, nor any ſuch Article. The Anſwer and Apology which the *Dutch* Ambaſſadors thought fit to make to this Objection, was no more, but they had never ſeen the Treaty; and if there were any ſuch Article, they had not the leaſt Knowledge or Notice of it.

In the mean time we are at this Loſs, as not to know how to reconcile M. *d'Odyike*'s ſigning of a Memorial for us, with that Anſwer to the Mediators, that the Reſolutions of the States were not yet come to Hand; only it is plain the *Dutch* do fancy to themſelves, his Majeſty is under ſome kind of *Empreſſement*, to know the Iſſue of the Negotiation here, before his Parliament do meet: And therefore M. *d'Odyike* told us, as News, that his Majeſty had adjourned the Meeting of the Parliament from the 20*th* to the 30*th* of *October* Engliſh Stile: It is therefore poſſible, that upon receiving of that Advice, (whether true or falſe) they may have deferr'd to put their Anſwer into the Mediators Hands; which, all the Appearances hitherto make us believe, whenever it does come out, will be far from being ſatisfactory to his Majeſty.

The *French* Ambaſſadors, upon *Wedneſday* laſt, came to us, as they ſaid, on Purpoſe to communicate with us, upon a great Surprize they were in, as to ſome late Proceedings of the Elector of *Brandenburgh*'s: M. *Verjus*, the *French* Miniſter there, had from Time to Time aſſured them, all Things went to his Mind in the Court of that Elector, yet that notwithſtanding M. *Schwerin* the Envoy of that Elector here, had ſhewed them on *Tueſday* laſt, an Inſtruction which the Elector his Maſter had ſent to his Reſident at *Vienna*, whereby he directed him to propoſe a general Truce; and to undertake, that if the *Imperial* Army would either retreat to the Hereditary Countries, or engage to advance no further towards the *Rhine*, the King of *France* ſhould accept of the Truce, and withdraw all his Forces out of the Empire. This, the *French* Ambaſſadors ſay, is quite contrary to the Senſe of their Court, and they aſſure themſelves that the Elector has no Commiſſion from their Maſter to make any ſuch Overture.

The *French* Ambaſſadors have alſo told us, that their Maſter is now marched from *Nancy* with a great Force, and that tho' it be not yet publiſhed what his Deſign is, yet that M. *de Loucoy* hath given private Advice to M. *Courtin*, that it is to ſurprize the *Franche Compté*; that the

the reducing of that whole Country, cannot be the Work of above 3 Weeks; except it be the Cittadel of *Besançon*, which, the Town being open, they will be able to press and starve at their Leisure.

THE League which the Duke of *Newburgh* had, in Conjunction with the *Swede*, projected to carry on in this Place, (whereof we gave your Lordship some Account in former Letters) does not seem to advance; only we observed the other Day, that M. *Sparr*, in a Conversation with the Duke *de Chaulnes*, argued for it with some Warmth, as the only Means left to prevent those Princes, who had not yet declared, from joyning themselves avowedly with the Emperor's Party.

M. *de Chaulnes*, on the other Side, said, the King his Master had now of a good while rejected it, as a Thing that would introduce the private Interests of all the Princes entring into this League, to embarass the Mediation, and the Treaty withal; and that his Master had very lately, by M. *de Vittry*, stopt a Minister of the Elector of *Bavaria*, that was come as far as *Ratisbone* upon that Errand, towards this Place; that therefore if they, the Mediators, or Prince *William* of *Furstemburgh*, (who is very fond of this League) have a Mind to bring it on, they must be pleased to do it by Instances of their own in the *French* Court; they, the *French* Ambassadors, not thinking fit, after that their Master has twice rejected it, to own any Approbation or Desire of it.

M. *Courtin*, on the other Side, does, in his private Discourse with us, seem to desire it; saying, that tho' there was no Reason or Use for any such League, when the *Brandenburgher* was taken off, and the Emperor withdrawn into his Hereditary Countries last Year; yet that now the Emperor is come on again, and makes all the Alliance he can, it would be a Means not improbable, to prevent those from declaring for the Emperor, who are hitherto in a Condition of Neuters: However, the Mediators do upon all Occasions declare to us, that it is their Sense, that there is no Way now left of reducing the *Dutch* to Reason, but by beating them to it; and therefore do advise, (we know not upon what Motive) that our Master should yet enter into a stricter Alliance with *France*, and make all the Preparations he can possibly for a War the next Summer: Which being their Sense so often repeated, we think it our Duty to lay before your Lordship, not presuming to offer any Reflexion of our own upon it. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{21 \text{ Sept.}}{1 \text{ Octob.}}$ 1673.

MY LORD,

OUR last, by the Ordinary, of the $\frac{18}{29}$*th* of *Sept.* a Copy of which we take Leave to send here inclosed, will have given your Lordship an Account, that the Mediators having called upon the *Dutch* Ambassadors for an Answer, as well to the *ultimatums* of the two Kings and their Allies, as to their own Project, or Overture, in order to the reviving of the Negotiation, had been answered by the Ambassadors, that hitherto they had not any Orders upon either of those Points, but that they were bid to expect them in a few Days; which Answer we could not but be a little surpriz'd at; in that M. *d'Odyike*, the Night before, had, in a Visit we made him, told us expresly, he then came from signing a Memorial (as he called it) in Answer to two of our Points, *viz.* that of the Flag, and that of the provisional Points of Trade in *India*.

While

While we were in doubt what this might mean, we received the $\frac{20}{30}$*th* of *September*, a Summons from the Mediators, for a Conference at the *Carmes*: In our Way we called upon the *French* Ambassadors at M. *Courtin*'s Lodgings, but being interrupted in the Account they were giving us of a late Dispatch they had received from Court, by the C. *de Tott*'s coming in, we adjourned the rest of that Matter to the *Carmes*, whither the Ambassadors promised immediately to follow us.

Being arrived at the *Carmes*, we found in the Apartment of the Mediators M. *Ehrensteen*, who acquainted us with a certain Paper they, the Mediators, had received the Day before from the *Dutch* Ambassadors, of the 27*th* of *Sept.* by way of Answer upon our two Points of the Flag, and of the provisional Articles for Liberty and Security of Commerce in *India*; a Copy of which we herewith send inclosed, which we had already had a Sight of from the Count *de Tott*. M. *Ehrensteen* immediately entered into Conversation upon it, asking us, if it were not to our Satisfaction? We answered, that it was not in any Degree; as proposing to leave out of the Article of the Flag the most material Clause, which was, the Declaration of the ancient Practice and Custom in that Point; beginning — *Utpote quod, &c.* He replied, that so long as we had an express and formal Article for the Thing for the future, he should think that were enough: We answered, we could not by any Means agree to that, for this was a Prerogative of the Crown of *England*, famous in all Ages; and was not now to be left founded singly on a Contract or Convention, which might, upon the Breach of this Treaty, fall to the Ground next Year: That those Words carried our Right, and the Confession and the Acknowledgment of it, and therefore were more considerable in our Opinions, than all the rest of the Article. To this he replied, that the Matter of Practice and Custom seemed not to be so clearly granted; that the *Dutch* pretended to have many Proofs by them, that this had not been practised in several Times, nor so much as demanded by *England*: We denied they could make any such Proofs, for, we said, we had by us affirmative Proofs, that in all Times that Duty had been so paid; and their Part being to prove the negative, it would be very hard for them in that Regard to do it: But that in the Thing itself, we were assured there were no such Proofs in Being: We repeated several other Arguments in the Point, heretofore made Use of upon Occasion, elsewhere in the Course of this Negotiation; concluding finally, this was looked upon as so important a Right of the Crown, that we had the very Words dictated to us by the King our Master before our Parting, and could not in the least vary from them.

Here the Count *Tott* told us, they had something of moment to negotiate with the *French* Ambassadors, and therefore they would desire for the present, to leave us to think a little further of the *Dutch* Ambassadors Paper, and that they might be allowed to finish the rest of what they had to say to us at that Time, which, as he proceeded to tell us, was:

1. That they had received fresh Orders from the King their Master, again to renew their Instances to the two Kings for a general Suspension of Arms, as the only Means they could see, in the Posture Things were now brought into, to effect the Peace. The Reasons, he said, for which they thought themselves obliged to reassume that Matter afresh, were more particularly these:—— *First*, To keep *Spain* from actually breaking, and to prevent at the same Time, if possible, that the two Armies of the Emperor and the King of *France*, do not come to Blows: For

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if that ſhould happen, beſides the general Flame that would break out all over *Europe*, *Spain* and the Emperor, who are at preſent in the Quarrel but as Acceſſaries, and conſequently can come into the Negotiation in order only to an Incluſion, would from henceforth become Principals in both, and ſo we muſt expect that the whole Frame and Method of the Negotiation of the Peace, would be moſt certainly changed, and take a quite other Form; and particularly, that the Mediation would, in all Probablity, be paſſed into other Hands, if the Treaty itſelf were not finally laid aſide: This, he ſaid, was one of their Conſiderations, and a very preſſing one, as they judged it.

Next, That the Seaſon for Action, eſpecially by Sea, ſeemed now to be wholly over, ſo as whatever Reaſons from that Conſideration the King our Maſter might have had, not to admit the Propoſition in the Summer, the Mediators conclude, they are now ceaſed with that Seaſon; and that his Majeſty cannot now refuſe the general Suſpenſion from thoſe Reaſons. Then, as to any further ones, which, they ſaid, the King our Maſter might poſſibly have, from the particular Conſtitution of his Domeſtick Affairs, that is, in Regard of the Meeting of the Parliament, which now draws on: They asked us, if that ſhould chance to ſtand in the Way with his Majeſty, whether there might not a Way be found, of having a Supply of Money conditionally, that is, in caſe the War ſhould continue; ſaying, it was frequent with them in *Sweden* to give Supplies in that Way; and they ſuppoſed it might be poſſible to do ſo in *England* too: But however, they concluded, that his Majeſty having been pleaſed laſt Winter, to agree to a general Suſpenſion, in a Time when the Parliament was to ſit, that is, having agreed that there ſhould be one, till the End of *April* laſt, which would have been two or three Months within the Seſſion of Parliament, they humbly hoped, his Majeſty might find a Way to reconcile the Conveniency of his Service, as to the Meeting of the Parliament, with the like Propoſition now.

The Ambaſſadors, to fortify their Inſtances in this Matter of the general Suſpenſion, told us, the Emperor, having had it propoſed to him now lately, by *Puffendorffe* their Miniſter, had already accepted of it in the general, to be adjuſted more particularly, under ſuch Cautions and Conditions between the Parties in War, as ſhould afterward be found reaſonable; that they, the Mediators, upon this Encouragement on the Part of the Emperor, were going immediately to preſs *Holland* and *Spain* in the ſame Point: And, they ſaid, they doubted not, but, whatever their Diſpoſitions otherwiſe might be in the Matter, they would be eaſily awed into it, when they ſhould be told plainly, that in caſe they did refuſe it, *Sweden* would be obliged immediately to enter into Action with all their Force, &c. — And here M. *Ehrenſteen* interpoſed, asking us, whether, when all other Parties ſhould have thus accepted this Propoſition of a Suſpenſion, and that our Maſter alone ſhould ſtand out and refuſe it, this might not be ill underſtood by the Parliament at their Meeting, and poſſibly diſſerve his Majeſty in his Affairs there, as much or more than his Majeſty apprehends the admitting of it might prejudice them in another kind: To that we thought ourſelves obliged to anſwer paſſingly, that if the King ſhould find it fit to ſay ſo then; his Majeſty, as we had frequently argued the Matter with them, the Mediators, had many great and prudent Conſiderations, why he ſhould not admit at this Time of that Propoſition; and, one, which, we thought, would abundantly fortify all the reſt, which was, that his Majeſty now, for above theſe three Months, has been

been ready, offering and pressing by us, to close the Peace, upon Conditions, which they, the Mediators, and all the World, must judge infinitely reasonable and easy: This, we said, we doubted not would very easily rectify any Misapprehension of his Majesty's not admitting a general Suspension: We added, that this was what we had all along taken Leave to propose to them, the Mediators, in lieu of a Suspension, whenever that Matter came to be discoursed of; having ever judged, that the *Dutch* would certainly make a quite different Use of any such Ease and Interval, than what the Mediators, we doubted not, design'd it to, *viz.* the facilitating of the Peace.

2. The *Second* Thing, the Count *de Tott* told us, they had to say, was by Order of the King their Master, to pray us, once more humbly to recommend to the King, that his Majesty would please to think of making yet some further Abatements in his Demands, for the final effecting of the Peace; they told us, they would not say in what Particulars, but in the whole, they beseeched his Majesty would please to allow some yet further Moderations. They said, they must confess his Majesty might have Reason to think, he had already done very much, (and they must ever own his Majesty had done so) and that, considering the *Dutch* had not on their Part made any the least Step, his Majesty might reasonably expect, they, the Mediators, should rather turn their Instances upon *Holland*, and oblige them to approach proportionably on their Side: They therefore declared, that notwithstanding the humble Suit they desired now to make by us to his Majesty, for some further Ease in the general, that they were resolved forthwith to fall upon the *Hollanders* very warmly in the Matter, and to charge it Home upon them, that they had not in any Degree corresponded with his Frankness and generous Proceedings in order to the Peace.

We answered:

1. As to the general Suspension, that when that Matter was last stirred, we had express Orders from the King our Master, to declare, that absolutely his Majesty would not consent to it; that we had no Reason to think his Majesty's Mind changed in the Point, since that Time; especially considering, that as, on the one Hand, the Season of Action at Sea might be objected to be now over; so, on the other Hand, the meeting of the Parliament approaching, seemed, for Reasons of another Nature, to make this Proposition of a Suspension equally inconvenient to his Majesty's Affairs. That as to the Argument they pressed of a Suspension, in order to the preventing *Spain* and the Emperor from openly entering as Principals into the War, and consequently into the Negotiation of the Peace: We said, there was another Way, we thought, much more sure and effectual, to prevent all that, than a general Suspension, and that was, a speedy closing of the Peace upon the great Moderation and Abatements of the two Kings and their Allies: And here we took Leave to ask them, the Mediators, whether, considering what had passed in this Negotiation, and the infinite Condescensions used by the two Kings, especially the King our Master in his Demands, whether they, the Mediators, did not in their Consciences think, that the great, and indeed, the only Obstacle to the Peace, was a presumptuous obstinate Humour in the *Dutch*, which neither the Easiness and Moderation of the two Kings, nor all the Instances and Applications they, the Mediators, could use, had been able to bring to any Degree of Reason: We asked, (if this were so) what Hopes they, the Mediators, had, that this Humour would be ever a whit abated; nay, that it would not be infinitely more heighten'd and exalted, when they

should

should find themselves set at Ease by a Suspension? So we could not see, but that indeed they would be rather bettered and fortified in their Interests; it being much more likely, that the Party would gain upon the middle and undeclared Part of the Empire, rather than lose, during the Time of any such Suspension.

2. As to any further Condescensions on the Part of his Majesty, we said, we could not see how the King our Master could possibly make any further Abatements: That his Majesty had (as their Excellencies had seen) most frankly and generously, upon the very first Occasion that seemed to call for it, fallen as low, and much lower, than any indifferent and uninterested Party could judge reasonable in the State of Affairs: Notwithstanding that *Holland* (as their Excellencies had themselves frequently acknowledged) had not, in all this Time, made one single Step towards him, nor to this Hour shewed the least Disposition to make any; as appeared more particularly from the Paper they had now put into the Mediators Hands, upon the Points of the Flag, and the provisional Points of Commerce in the *Indies*. The Mediators did acknowledge it was most true, the King had, on his Part, done every Thing with the greatest Frankness and Generosity imaginable; and that on the other Hand, *Holland* had done nothing at all. However, they said, for the common good of the Peace, they had still humbly to beseech his Majesty, to see what other Abatements possible he could yet make in his Demands in the general.

This being thus over, the Mediators returned to the other Matter, of the *Dutch* Ambassadors Paper, in Answer to our two Points of the Flag, and the Trade in the *Indies*. Upon each of which, we repeated summarily what we had heretofore, on several Occasions, argued to the Mediators: As to the Flag, we remembred their Excellencies, that the Exception we had taken heretofore to the Clause *Eo modo, &c.* as it stood in the *Dutch* Ambassadors first Paper of the 15*th* of *August*, was not there; for that the Clause, as to its Substance, in the Sense the King our Master always understood it, was proposed to make Part of the Article; but that they continued to couch it in doubtful Words, *viz. eo modo quo, &c.* which, we said, was in the Sense they took that Expression, to leave a perpetual Occasion of questioning and doubting, what had been the antient Manner and Practice; whereas we insisted to have those doubtful Words in the Clause cleared, and ascertain'd by *Utpote quod*, &c. which, we say, do but bear the same Sense those others ought to do, but are so plain and clear, that they are not liable to be misconstrued to any other different Sense. And this, we said, was what we had at any time objected against the Clause; and that what they, the *Dutch*, now offered us, of quite leaving out that Clause, was therefore far from being an Expedient to satisfy us. We observed likewise to the Mediators, that the *Dutch* had, in this last Paper, limited this Duty, to be paid to the King's Men of War only; whereas we had demanded, it should be provided to be done, as well to any Yacht or other Ship or Vessel whatsoever, belonging to his Majesty, or in his Service, and wearing his Majesty's Flag, Colours, or Jack.

As to the other Points about the Commerce, we put the Ambassadors in Mind, that as we had at first declared, the King our Master, not to embarass the Treaty with any Debates of length upon that Subject, was willing that the adjusting the entire and compleat Body of a Reglement of Commerce in the *Indies*, and on the Coast of *Guinea*, should be referr'd to Commissioners, to be appointed by the Parties within a certain Time; so we had all along at the same Time declared, there

there were three or four provisional Points, it would be absolutely necessary to provide for, in an Article of half a score Lines, in this Treaty: That they were reciprocal Points, of a most evident Reason and Justice, of necessary and daily Use for the Liberty and Security of that Trade; and as to the Merits of the Thing, could cost no Time at all to debate and settle. That this we had frequently declared to them, the Mediators, and their Excellencies had as often admitted of the Pretension as reasonable, and we told them, that if the *Dutch* have not indeed a Design, for ever to elude any such equal Reglement of Trade, these three or four Points are such as could not be refused in this Treaty.

This is what passed between us and the Mediators at that Conference: Being returned to our own Appartment, the *French* Ambassadors, a while after, came to us, to give us the Account of their last Dispatch from Court, which they had been interrupted in some Hours before, by the C. *Tott*'s coming in at M. *Courtin*'s Lodgings; they told us, that Prince *William* of *Furstembergh* having some Days before dispatched a Courier to the Court, principally to understand how far the Most Christian King would take of the Proposition, lately set on Foot between the Mediators and the Princes of *Furstembergh*, for the encouraging a kind of a By-assembly here, of the best affected Princes of *Germany*, of which we gave your Lordship an Account in one of our late Letters; the Courier was returned the Day before with a long Dispatch to them, the Ambassadors, the principal Points of which they told us were:

1. That the King their Master, after a serious Consideration and Debate had with his Ministers upon the Proposition, judged it to have been first advanced by the Mediators, and the two Brothers of *Furstembergh*; and afterwards given in to by the Duke of *Newburgh*, the Elector of *Bavaria*, and the Elector of *Brandenburgh*, &c. of framing a kind of Assembly here, of some of the best affected Princes of the Empire, for a further Strength and Countenance to us, in our Endeavours for a Peace; and in case that should fail, to be more expresly Witnesses by whose Fault it comes to fail; and so to unite in some nearer Alliances, for the preserving at least the Peace of the Empire: That the War be shut out of their Body, and left to be continued between those only, who were originally the Parties in it: That the King having thoroughly considered of this Proposition, had found fit absolutely to reject it, as well because most, if not all of those Princes intended, were already engaged in his Interests, and that by express Treaties of Action: As for Instance, *Hanover* to act by their Arms within their Circle, and *Bavaria* within that of *Swabe*, in Consideration of the Subsidies now actually paid them by *France*: So as he did not see what nearer Ties could, by any such Meeting, be well expected from them; besides that, he had in their several Courts already his Ministers, instructed upon all Emergencies, to negotiate with them what should appear to be for the Advantage of the common Cause. And that after all, it was to be feared, any such Assembly as this (what other Fruit soever might be expected from it) would most certainly embarass and retard the Peace; every one having something or other for themselves, or their Neighbour Allies, or Members of the Empire, which they would pretend to thrust into this Treaty. So as, upon the whole, the Ambassadors told us, their Master had directed them totally to reject the Proposition.

2. They told us, that the C. *Tott*, having some Time since, for the advancing the Negotiation on the Part of *France*, at a Point where it

seemed most to stick; proposed an Equivalent to the Most Christian King, in lieu of the Places demanded from *Holland*; the King their Master had considered of it, and had finally resolved, as his last and lowest Condescension in that Matter, 1*st*, As to the Equivalent proposed, to content himself with the Places of *Cambray*, *Aire*, St. *Omer*, and *Ipre*, together with the Chastellanies of *Cassel* and *Batteul*, their Annexes and Dependencies; this to stand in lieu of all the Places demanded at first from *Holland*, except that of *Maestricht*; and that as to *Maestricht*, the King would consent that the Place, together with that of *Wyck*, should be wholly raz'd, the Sovereignty of the Town and Territory to be and remain to the Bishop of *Liege*, who had been anciently Con-Seignior with the Duke of *Brabant* of that Place, and was so left by the Peace of *Munster*, joyntly with the States: that the *Pays d' Outre Meuse*, or the County of *Meurs*, which the *Dutch* should like best, should remain in the Hands of the Most Christian King, to be disposed of to a certain Prince of *Germany*. This, as to the Particulars of that Equivalent in Question. That beyond this, the King, to quiet *Spain* what he could, in any other Fears they might have, consents that as to the Differences arisen since the Treaty of *Aix*, about the Matter of the Limits, that *Condé* and *Lynk* be raz'd; that the Sluices of *Newport*, having been erected by the *French*, shall from henceforth remain to *Spain*; and that whatever further Circumstances, as to this last Point of their Limits, shall happen to come into Question between them, the Arbitration of them shall be remitted to the Kings of *England* and *Sweden*.

These the Ambassadors told us, were their Master's last Conditions, to which he was pleased to declare, he would moderate himself at the Recommendation of the Mediators; but on these Conditions between him and *Sweden*; *First*, That the King will allow three Weeks Time for *Sweden*, to bring *Holland* and *Spain* to accept of those Conditions; after which, *Secondly*, If they shall refuse to agree to them, then the King to remain wholly discharged from the Offer, and at his Liberty, as to his Demands; and *Sweden*, on their Part, to be thenceforth obliged by a Writing, which their Ambassadors shall now give in, immediately to enter into Action against the Emperor; and lastly, to secure *Sweden*, that ever after the Expiration of these three Weeks, the Most Christian King will not, tho' he be otherwise at Liberty to do it, heighten his Conditions, and so render the Peace harder; His Majesty does agree still to be bound by the same Conditions as now offered, in Case, within the said three Weeks, *Sweden* oblige it self by a Writing to bring *Spain* and *Holland* to accept of those Conditions; or otherwise to declare against them.

These, the Ambassadors told us, were their Master's last Conditions, as to the Matter of Places, and the Equivalent for them, by which, their Master proposed to himself, as on the one Hand, to quiet the Fears *Spain* and *Holland* would have had, should he have insisted to have retained *Breda* and *Bosliduc*, and those the Empire would certainly have had, for his keeping *Maestricht*; so, on the other side, one principal Aim he had in this Proposition was, to put the Thing so hard upon *Sweden*, that either the Peace, as to so far, should follow, or *Sweden* should expresly declare *France* to have Reason on this Side the Matter; and so, without further Delays or Excuses, should be obliged effectively to enter into Action; which, their Court takes notice, they hitherto use all ways imaginable to avoid.

WHEN

WHEN we were advanced thus far in this Dispatch, *viz.* on *Sunday* the 1 October / 21 Sept. arrived the Express Mr. *Barré*, with the Honour of your Lordship's of the 15*th* of *September*; and in few Hours afterwards the *Flanders* Letters, with your Lordship's Preceding one of the 12*th*; for both which we return your Lordship our most humble Thanks: We are much troubled to find so great an Uncertainty in the Diligences of the Ordinary Posts, and therefore, considering the critical Points to which our Negotiation seems now to be near brought, we shall presume, with your Lordship's Favour, for the future, to be more frequent in Expresses. In the Close of your Lordship's of the 12*th*, your Lordship is pleased to say, that —— "Considering by that Time that came to our Hands, "the Time given us by his Majesty for finishing the Treaty would "be far advanc'd; it would be therefore Time we sent his Majesty "our Opinions, in what Manner, and with what Circumstances of Expostulation and Declaration on his Majesty's Side, it would be fit to "put a Period to the Treaty, in Case it should happen not to be other-"wise brought towards such a Conclusion as ought to be wished" —— That is a Reflexion we had already made with ourselves, and prepared in this very next Dispatch, humbly to lay before his Majesty, for his particular Directions in; as being of very great Weight, in our humble Opinions, and which, considering the near Approach of the Time proposed to be set by us, for the bringing the Negotiation to a certain Issue, is that we are next to take care to be throughly instructed in, and prepared for.

IN Obedience to your Lordship's Commands, we thought fit to lose no Time to speak with the *French* Ambassadors upon that Point: And accordingly next Morning we did offer it to their Consideration, how, and in what Manner, with what Circumstances of Expostulation, Declaration, and other more solemn Acts, in Case the Treaty came to have that Issue. Their Opinion was, that we should joyntly, and in common, put a Period to it: They told us, they had not any Kind of Directions what to do in such a Case; that the Court had not hitherto at all thought of that Point; that they knew not, nor did they believe, their Master would be very sollicitous, how that Point were made, not apprehending, that they, for their Part, had much Use of any such Declaration, Expostulation, *&c.* but that it was wholly indifferent to them, how, and in what Manner, the Treaty had a Period put to it: For, as to the Satisfaction of their People at Home, as the Face of their Government is, that they had no People to satisfy, that is, they cared not whether they were satisfied or not: That as to the World abroad, such Parts of it as were of Use to them to satisfy, they took other ways of doing it, than by such Applications; that they did not believe their Master would think fit, at all to apply any Thing of what had passed in the Negotiation, or should pass of Solemnity in the breaking it off, towards any Informations of the World, in a publick open Way, by Declaration, Narrative, or Writing: That it was certain, the Mediators would never be brought in that Case, to do more than barely give a Testimony to Matter of Fact, as to what had passed in it; *i. e.* that the Parties had respectively made such and such Offers, and finally left the Peace at these and these Conditions, without judging, or declaring in the Least, to what Degree any had Reason, or not, in their Demands or Offers. And that, even in this Sort of Testimony, it was to be doubted, they would be but cold and indifferent, in Order particularly to the preserving themselves still in a State of being capable to continue Mediators hereafter, whatever new Party the Negotiation might take.

As to us, the Ambassadors told us, possibly the King our Master had another Interest to consider, in the Point now proposed, *viz.* the Satisfaction of his People at Home; which being a particular Interest of ours, and with which they had nothing common on their Side, must be left to his Majesty, how to apply what was passed in the Negotiation; and finally, in what Manner to put a Period to the Treaty with most Advantage; concluding, that their Opinion was, as to what we had suggested of drawing from the Mediators a Kind of a Declaration, or Writing under their Hands, as to our Conduct in the Negotiation, and the Conditions at which we had left the Peace; that the Writing any Thing to the Mediators, in order to the drawing from them such a Declaration or Testimony might be very dangerous, and have ill Consequences, more than could be now foreseen. And this was all the Opinion we could find they have in that Matter, which we presume to represent to your Lordship; that considering that great Step is, as we humbly conceive, to be made joyntly, and by Consent of all the Allies, as to the Kind and Manner of it, and that we do not find the *French* Ambassadors, as to the Thing itself, of actually breaking off the Treaty, are yet instructed to do it when the Time comes; and the Court indeed resolve, as far as we can judge by the Discourse of the Ambassadors, that it shall be done so suddenly, as the King our Master seems to propose to himself; and that, on the other Hand, when it shall come to be done, the *French* are not like to make it a Matter of any Consequence, how and with what Circumstances the Thing be at last done: His Majesty may therefore please only to consider, what further and particular Orders to give us, in this great and weighty Point.

We could not but take notice, that in the Close of this Conference with the *French* Ambassadors, that M. *Courtin* saying, how useful it would certainly be in the general, that it appeared to the World, that the Allies had each of them moderated their Demands to the utmost of whatever could be judged reasonable, begun to make Instances in some of our Demands, as particularly, that of the Prince of *Orange*, as to the making it Hereditary; the Article about the 3 or 4 Points of Commerce in the *Indies*; and the Business of the Fishery: In all which, especially these two last, we found him plead in a more than ordinary Earnestness, in the Persons, and with the Arguments of our Adversaries, to a Degree that a little surprized us; pressing the Matter so far as to tell us, till we came to a yet further Moderation in those Points, the Mediators would very likely excuse themselves to the *French*, and the whole Alliance, if they did not proceed to execute their Treaty, how far soever they allowed all the other Allies to have Reason in their Demands, till the King our Master abated yet further in those Points: Of all the other, we found him Combat most the Point of Trade in the *Indies*, justifying very concernedly, (as we thought) the *Dutch* Practice of forcing the Natives by War to make Treaties with them, for the sole buying of their Commodities; the Thing was so new and unexpected, that we could not but take this notice of it to your Lordship.

In that other Letter of your Lordship's of the 15*th*, we found ourselves by your Lordship's Care and Favour (for which we make our most humble Acknowledgments) particularly instructed in two or three weighty Points: *First*, his Majesty is pleased to set us at Liberty, and to allow us a Latitude to the enlarging or restraining the Time for the Period of the Treaty, as upon Concert with the *French* Plenipotentiaries shall be found most proper. We have already communicated this new Instruction

struction to the *French* Ambassadors, and, with their Opinions, have resolved to expect yet some few Days at least, before we proceed to set any Day for the Period of the Treaty, in Hopes that possibly the *Dutch* Ambassadors may yet prevent us in that Step; for altho' we have in some of our latest Letters to your Lordship observed, they have for these last three Weeks been very silent in the Point of withdrawing from hence, which some Time before they had been so very hot upon, yet within this Day or two the Discourse revives again. *Beverning* having, more than once, on *Sunday*, at the Comedy, told M. *de Chaulnes* openly, he was to be going in a Day or two, and that therefore he would make the Party of drinking his Farewel with the Duke the next Day at Dinner. The same Thing, the Duke told us, *Van Haren* had also repeated to him, of himself, saying, he would be going *demain ou apres demain*: The Duke having answered, that was very quick indeed; he reply'd, when Men say *apres demain*, it means, if not one Day, another, that he is not very certain when; but it is apprehended, they may have some dormant Orders in their Pacquet, as they see Things turn, to go or not; that is, two of them at least, and those the Men of Business, *viz.* *Beverning* and *Haren*, the other two possibly to continue still here, as M. *d'Odyke* seemed to intimate, for Form Sake; and possibly to avoid the odious Step we are endeavouring to bring them to make, of first breaking off the Treaty. In some few Days we shall see what they will do in that Particular; and accordingly, with the best Care we can, proceed to take our Resolution jointly with the *French* Ambassadors, as to the fixing our Term for a final Satisfaction, under the Denunciation of our Masters taking themselves to be refused; and consequently at Liberty in their Demands, in case they receive not Satisfaction; and then as to the Distance at which to fix the Term.

As to any further Abatement that might be expected from his Majesty in his Demands, we take Notice of his Majesty's firm Resolution, repeated to us by your Lordship in that last Letter, not to recede from any Part of his last Demands, as we are in Possession of the Knowledge of them, and shall be careful to govern ourselves accordingly.

As to the Article of the Flag, we take Notice of his Majesty's Pleasure, that after a further Reflexion made upon that Matter, that his Majesty likes much better the Draught lately sent us of an Article, than that we had first given in here; and, according to our Duty, we shall most humbly obey it: Only having presumed to transmit some Observations upon it, by the late Express Mr. *Smith*, and the Thing not otherwise pressing as yet, we humbly beg Pardon, that we take Leave to expect, before we proceed further upon that Point, till we receive your Lordship's Answer upon that Dispatch; and in the mean time we presume to take Notice to your Lordship, of one or two Particulars more in the present Draught sent us, which we humbly offer to your Lordship's Consideration: 1. If it be clear enough that the Words — [any of those Seas from the *Cape Finisterre* to the *North Cape* in *Norway*] will include all the *British* Seas that run on the back-side of *Ireland* and *Scotland*: Next, Whether after the Words — [any Ships or Vessels belonging to his Majesty of *Great Britain*] it be of Use to add — [or in his Service]: *Lastly*, Whether, if the Article can be made to pass without it, we may not have Leave to let the last Words run in the general, without adding the Words that now close the Article, *viz.* [by any Ships of the States General, or their Predecessors]. If this last Alteration from the Draught sent us, be thought worth the making, we hope it may not be hard to obtain it; because it is but to leave

leave the Article, in that Particular, as it was in the Treaties of *Breda*, and in that of the Usurper; which, we hope, the Mediators will think but reasonable. As to the first Point, of limiting the Bounds within which this Duty shall be paid, *viz.* from the *Cape Finisterre*, to the *North Cape* in *Norway*; Tho' the Article relate only to the *Dutch*, yet we fear those Bounds may awake a Jealousy in some others; and for that Reason engage them to be as little favourable to this Draught, as we find they are to our former one, for another Reason; that is, the Assertion of the ancient Practice. For, by all we could judge when we last discoursed with the Mediators upon that first Draught, they seemed inclined, and allowed it should be declared to be an ancient Right of the Crown; but they insist to have the following Words left out, which declare it to have been practis'd in all Times.

We most humbly beg Pardon for this Presumption; we resolve, notwithstanding what we thus take Leave to represent upon that Draught, punctually to obey his Majesty's Commands, in wholly negotiating upon that last Draught, as it is sent us, so soon as the Matter shall call for it; we have adventured in the mean time, humbly to lay these Remarks before his Majesty, for his further Consideration, in case it be thought worth it; and humbly beseech his Majesty's Pardon for the Presumption.

As to the last Point in that Letter of your Lordship's, of the 15*th* of *September*, concerning the Words of the Article about the Fishery, we shall take the utmost Care we can, if the Matter ripen enough to call for it, that it be so worded, as that it carry a successive Permission only from his Majesty to the *Dutch* to fish, *&c.* not to part wholly with his Majesty's Right to them in the Fishery: But for our fuller Instruction, and for the securing, beyond any Hazard, his Majesty's Interest and Satisfaction in this great Point, we do most humbly beseech your Lordship, as you are pleased to make us hope in that Paragraph of your last, that you will please to obtain of my Lords of the Committee of Foreign Affairs, the Draught of an Article, such as in their Lordships Wisdoms they shall find most to his Majesty's Mind in that Particular. We are, *&c.*

To the Earl of *Arlington*.

Cologn 26 Sept./6 Octob. 1673.

My Lord,

In our last that we presumed to trouble your Lordship withal, which was of the 23 Sept./3 Octob., by the Express Mr. *Barré*, (a Duplicate whereof goes here inclosed) your Lordship will have received a Copy of that Letter which the *Dutch* Ambassadors wrote on the 27*th* to the Mediators, upon the Subject Matter of our Article of the Flag, and upon the Establishment we desire in our Commerce in the *Indies*. We think it our Duty to send another Copy of that Letter by this Ordinary, as the true Measure of that Ingenuity, wherewith the *Dutch* Ambassadors have proceeded all this while; for as they do take Notice in it but of two Points only, of seven that we had given in to them in our *ultimatum*, so it appears, that even in those two Points, they have rather industriously searched for Pretences to elude the whole Thing, than consider'd of Expedients, wherewith to satisfy his Majesty.

In the same Dispach, we gave your Lordship an Account of the Earnestness, and the Reasons, wherewith the Mediators, when they imparted to us this Letter of the *Dutch* Ambassadors, pressed, (as they did likewise yesterday with much Solemnity) 1. That his Majesty would give his Consent to a general Cessation of Arms: And, 2. That he would be pleased to descend to farther Abatements in his Demands, tho' they did not, and said, they would not insist upon it in any Particular; so abundantly do they profess themselves to be satisfied with the Condescensions his Majesty is already come to; only, they say, they will take still Leave to hope, that his Majesty hath some small Matter still in Reserve to sacrifice (if need be) to the obtaining of this Peace. This Suit, as often as it is repeated, meets with the same Answer on our Part, that is, that their Excellencies, the Mediators, have had so great an Evidence of his Majesty's Propensions to a Peace, and having own'd the great Advances he had made towards it, their Instances would be (as we hoped) altogether now employ'd towards the *Dutch*, who have not made one Step of Approaches towards his Majesty to this Day; and that they would give us Leave to adhere to, and insist upon the *ultimatum* last given in, as the utmost Abatements which his Majesty will come to, since we have all the Assurance possible, that no further Condescension is to be expected from him.

In the Matter of the general Cessation, we must beg Leave to add one Word from the Duke of *Newburgh*, who, by his Chancellor M. *Stradtsman*, has represented to us, that he hath interested himself, together with the Electors of *Brandenburgh* and *Bavaria*, in proposing and solliciting this Cessation, as the only Means now left to preserve the Empire from breaking into Pieces, and throwing itself to a general Confusion: But such is the Veneration he has for his Majesty's Person, and such is the Deference he will always have for his Judgment and Interests, that he will neither promote nor own this Proposition, any further than it shall stand with his Majesty's Approbation, and the Good of his Affairs; and therefore that it was his Desire to us, that we would lay it before his Majesty, as a Thing the Duke intended and proposed for the common Good: Provided it hath nothing in it, that suited not with his Majesty's Judgment and Affairs.

We did likewise in our last, take Leave humbly to represent to your Lordship, that the *French* Ambassadors, in a Conversation we had had with them, (upon your Lordship's Directions to us, to bethink our selves in what Manner, and with what Circumstances of Expostulation and Declaration on his Majesty's Side, it will be fit to put a Period to the Treaty) did declare, that they have no Thought of using any Solemnity, or of drawing any Act or Declaration from the Mediators, much less of having any Expostulation with the *Dutch*, at the breaking up of this Treaty; saying, that as their Master intends not to gratify his own People, with any Account of his Proceedings here, in order to justify himself to his Subjects; so he is in a better Way than that of publishing Declarations, or Manifesto's, to satisfy those Abroad, in whose Judgments he would not be mistaken: They add further, (and that very expresly to) that they have no Orders to come to any Declaration of a Rupture, or to break off the Negotiation here, and we cannot think they will have any, unless the Instances of our King do procure it for them.

One Thing fell from them with an Emphasis in that Conversation, which we cannot but repeat to your Lordship, since Messieurs *Courtin* and *Barillon* repeated a great Part of it in a later Conversation on

Wednesday

Wedneſday laſt; it was, that if we pretend to ſatisfy any Party with a Declaration, or Account in Writing of our own, we ſhall have a great Difficulty to calculate ſuch Writing, for the ſeveral and different Apprehenſions of thoſe that will concern themſelves in it; for tho' our own People at Home may be ſatisfied with the Demands we make, of an Acknowledgment for the Fiſhery, and of the Settlement we would bring into our Commerce, as alſo of the Eſtabliſhment of the Prince of *Orange* in the Place and Figure of his Anceſtors; yet they told us plainly, we ſhould never be able to ſatisfy either the Mediators, or the unintereſted Part of the World, in thoſe our Pretenſions: Nay, that they, the Mediators, will have a plauſible Pretence (very much to the Prejudice of the common Cauſe) not to execute their Treaty, or to declare againſt the *Dutch*; while they ſhall be able to ſay, (as M. *Courtin* worded it) that tho' *France* and the two Biſhops have moderated themſelves as much as can be deſired, yet that they, the *Swedes*, cannot declare that *Holland* doth refuſe a Peace upon reaſonable Terms, as long as *England*, one of the Allies, not to be ſeparated in the Treaty, ſhall ſtand upon Things, that they, the Mediators, cannot pronounce to be reaſonable: as, 1. Upon a new yearly Tribute (ſuch as was never yet paid) for the Fiſhery. 2. Upon the nulling of Treaties, (ſuch as that with the King of *Macaſſar*) which contain in them Advantages, that they, the *Dutch*, had purchaſed with the Expence of their Blood and Treaſure. 3. Upon the Change of the very Eſſence of their Government, into ſuch an Eſtabliſhment as we pretend for the Prince of *Orange*. And tho' we had the Conveniency of ſhewing to M. *Courtin* our Project, in the very Words we had given it in to the Mediators, for the Reglement of Commerce in the *Eaſt-Indies*, and deſired him to conſider impartially of our Right by the Laws of Nations, and of the Equity intended by us in making the Articles reciprocal; and that we demanded not the Benefit of it, where the *Dutch* had made an abſolute Conqueſt of the Natives, but only where the old Government did ſtill ſubſiſt, and the People were *ſui juris*: Yet he was not pleaſed to be convinced, that we had Reaſon on our Side to oblige the *Dutch* to revoke their Treaty with the King of *Macaſſar*; ſtill urging, it was an Advantage the *Dutch* had purchaſed to themſelves by their Arms, and afterwards by a Treaty.

ON *Wedneſday*, Meſſieurs *Courtin* and *Barillon* gave us a Viſit with ſome Alarm; they had, they ſaid, great Cauſe given them a Day or two before to complain of the Mediators, and they came to learn of us, whether we had not the ſame: That which they complained to us of was, that having communicated the great Condeſcenſion of the King their Maſter, in being content to accept of *Cambray*, *Aire* St. *Omer*, and *Ypre*, together with the Chaſtellanies of *Caſſel* and *Bailleull*, and the little Iſle of *Voorne* unfortifyed, they, the Mediators, had, without conſulting them, given a View, by their Letter to the *Dutch* Ambaſſadors, that they would uſe their Inſtances with the King of *France*, that he would part with *Maeſtricht* to the *Dutch*, without demoliſhing it, (as the *French* propoſed to do, and to give over the entire Seigneurie of it to the Biſhop of *Liege*) that they might therein have ſo much at leaſt in their Hands, towards the compenſating of *Spain* for the Places abovementioned: That the Mediators had told them, by way of Apology, that they intended not that this Project of theirs ſhould lie as an Engagement in any wiſe upon the King of *France*. This the *French* Ambaſſadors were far from being contented with, ſince the very propoſing of a Thing of that kind, was a Declaration of their Judgments, as Mediators, and conſequently a Prejudice to the Pretenſions of the

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French; they desired to know of us, whether we had discovered that they, the Mediators, had offer'd any such Abatements in our Concern; telling us, that there was the like Project of Abatement made in the Pretensions of the two Bishops, as Prince *William* of *Furstembergh* had informed them the two *French* Ambassadors.

We told them, that we had not yet discovered any Thing that the Mediators had done of that kind, in Reference to our Demands; and yesterday, after a full Conversation with the Mediators, and a particular one with M. *Ehrensteen*, wherein he was pleased to shew us the two Letters, which they, the Mediators, had written to the *Dutch* Ambassadors, in the Concern of the *French*, (the one representing what the King would accept of for an Equivalent; the other, what they, the Mediators, did propose to themselves, by their Instances, further to gain from him) we could not discover that they, the Mediators, had made any new Motion or Plan (as was suggested) in our Affairs; only the *French* Ambassadors are confident, that the Mediators do propose to themselves, that his Majesty will at last content himself with one entire Sum of Money, as an Acknowledgment for the Fishery, and with the Establishment of the Prince of *Orange* only for Life.

In our Conversation yesterday, we heard the Mediators making their Apology at large to the *French* Ambassadors, for their having made the Overture, or Project abovementioned, in their Concern, without their Privity; that which had forced them to it, as they said, was, the Danger that this Negotiation is in, of being suddenly broke off; that it had had this Effect already, 1. To stop the going away of the *Dutch* Ambassadors as soon as they intended. 2. To procure the Dispatch of an Express upon this Subject to the *Hague*. 3. It had gained Time to their Minister *Applehoome*, to publish this Condescension of the *French* King, as he shall find it useful in *Holland*. That which M. *Courtin* replied to this was, that as, on the one Side, all Endeavours to keep the Treaty alive were now very improbable, in Regard that (as their Advices did bear) the *Dutch* had already made their Requisition to the M. *de Salinas*, that *Spain* would break; which he promised should be done as soon as the Prince of *Orange* should appear in the *Spanish Netherlands*, with the Forces that he was to joyn to the *Spaniards*; and therefore, that this Assembly was to be dissolved, as a necessary Consequence of their breaking with *France*: So, on the other Side, this Overture of the Mediators will be a Thing prejudicial to the *French* in future Time, whenever a Treaty happens to be renewed.

Yet the Mediators do not despair of continuing this Negotiation, notwithstanding all the boding Appearances; the Plan that they have is, to make a Peace between the two Kings and the *Dutch*, upon the Project now depending, resolving to exclude all other Pretensions, and to keep themselves to those original Causes, upon which they first entred into the Mediation: And tho' the *Dutch* do not insist to have the rest of their Allies come in as Principals in this Treaty, as they did the other Day, very formally demand of the Mediators Letters of safe Conduct to a Minister of the Duke of *Lorain*'s: Their Answer was, that his Cause and Concern had no Place in the Treaty of *Munster*; that it had been long depending before the breaking out of this War, and consequently can pretend to no Adjustment from this Mediation: The Mediators do say, that they are likewise furnished with sufficient Answers to the Emperor and *Spain*, so as to exclude them from bringing in their Pretensions to this Treaty: For if Blood should happen to be drawn, (as some there is already) one Article of Amnesty and Abolition will

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sufficiently provide for all Parties in that Case: If the Emperor pretend to bring the Pretensions of the Towns of *Alsatia* into this Negotiation, the Mediators will tell him, that he alone is not to judge or determine in that Cause, but conjointly with the States of the Empire, and that in a Juridical Way, according to the Method prescribed in the Treaty of *Munster*; and that therefore the *Swedes*, both as Guarands of that Treaty, and having a Voice in that Judgment, must not suffer the Emperor to put the Arbitrage and Decision of it into another Way: As to the *Spaniards*, their Answer will be, that they intend the Treaty of *Aix la Chapelle*, and the Guaranty thereupon, shall be revived and subsist inviolably; and for the Difference about the Limits, they shall be submitted to the Kings of *Great Britain* and *Sweden*, unless the *Spaniards* will accept of the Expedient mentioned in our last.

Together with this Narrative of what hath occurr'd to us in Conversation, we shall humbly beg Leave to observe to your Lordship, that yesterday, being the 5*th* of *October*, was the Day on which we, in Concert with the *French* Ambassadors, had resolved to denounce the 20*th* of this Month, *N. S.* as the last and utmost Day in which we would expect a Categorical Answer from the *Dutch*; or if we then had it not, that we would then take ourselves for refused, and no further engaged by any Communication or Overtures that had passed between us; but we finding ourselves, by your Lordship's of the 15*th* past, (which we received 5 Days ago) left at Liberty, and that it is his Majesty's Pleasure to allow us a Latitude of enlarging, or restraining the Term for the Period of the Treaty, as we shall find, and judge it, by Concert with the *French*, most for his Majesty's Service; and being every Day in Expectation that the *Dutch* Ambassadors will leave this Place, either in Execution of their Treaty with *Spain*, or else in virtue of a *Congè* they have lying by them; have thought it for his Majesty's Service, in order to avoid the Odium of that Step, to defer the making of our Denunciation for some few Days more, until we see the Issue of this great Crisis; the Prince of *Orange* being already come into *Flanders*, and the King of *France* marching as fast as he can towards him: We have therefore resolved to expect 8 or 10 Days longer, and then the Term prefixed will be the last of this Month, *N. S.* If the *Dutch* suffer that whole Time to lapse, without breaking up this Assembly, we shall be to seek what to do, and how to proceed, when the Mediators shall have told us, that they have no Categorical Answer from the *Dutch*; for we have not the least Appearance to expect or hope from the *French* Ambassadors, that they will joyn with us, either in making any Expostulation with the *Dutch* Ambassadors, or in drawing any Act or Declaration from the Mediators, nor yet in going off this Place: They have told us, that they must expect Orders from Court, before they make any further Step, upon the Lapse of the Time we shall prefix; and that they did not believe that their Master had any Thoughts of coming to those Steps, either of leaving this Place, or demanding any Act or Declaration (except it be that of a War against the *Dutch*) from the Mediators; so that their Conjunction with us must be concerted by such Instances as his Majesty shall think fit to make in the *French* Court. His Majesty having been pleased to command us, not to communicate with the Mediators, nor yet with the *French* Ambassadors, that Temperament which he is willing to admit of in the Prince of *Orange* his Case, until, 1. We see what the utmost is that the *French* will ask for their Master. 2. Until it be plain to us, that the Peace will be made or broken upon this Point. 3. Until the *Dutch* Ambassadors

dors will open themselves better, upon what they will grant his Majesty. We have some Difficulty with ourselves, to determine when we may safely think our selves at Liberty to communicate upon this Point; for it will be a difficult Matter for us to discover, and almost impossible to be at a Certainty, whether the Peace will turn, so as to break or not upon this Point; considering the Liberty which the *Dutch* Ambassadors are here in Possession of, in that they accord to no one Thing, till they have adjusted all Pretensions: Since his Majesty therefore is willing to acquiesce in the Establishment of the Prince for Life, rather than lose the Peace; it is possible, it would be of Advantage, to have it known timely enough in *Holland*, in Order to take off the Republican Party; and we are perswaded, the Mediators would reckon it a very great Condescension to their Requests: This Point being thus moderated, we are apt to believe there would be but two Points left for the Peace to turn upon (supposing the *Dutch* to be in earnest): The one would be, the procuring an Equivalent from *Spain*; which, tho' the *Dutch* should be willing to endeavour, yet the *Spaniards* will hardly comply with them: The other would be, the Annual Acknowledgment for the Fishery; which, tho' a Thing very easy to be done, yet their Stomachs will hardly digest: However, if the Mediators may be impowered to give a Temperament to this Article of the Prince of *Orange*, it may haply facilitate the Peace; and if not, it may help considerably to put the *Dutch* in the wrong.

We have no more at this Time, but most humbly beg of your Lordship, that we may be a little more enlightened in this Point, and have the Honour of his Majesty's precise Instructions and Orders, how to govern ourselves when that Time is lapsed, within which the *Dutch* should give us their Answer, if the Treaty should subsist so long: And your Lordship, we doubt not, will judge this our Petition to be so much more necessary, in that we are not to hope for any Concurrence from the *French* Ambassadors, unless there be sent them (at his Majesty's Instance) new Orders, and such as they do not expect from their Court. We are, &c,

To the Earl of *Arlington*.

Cologn 30 Sept. / 10 Octob. 1673.

My Lord,

Our last to your Lordship was of the 26 Sept. / 6 Octob., a Copy of which goes here inclosed; since which, we have none from your Lordship to acknowledge, three *English* Pacquets being now due to us; which warns us sufficiently of the Necessity there will be, of making more use of Expresses; at least where the Matter is of any Weight, or such as will require Dispatch.

Your Lordship will have seen by our last, the Considerations upon which we had agreed to the *French* Ambassadors Opinion, for the deferring yet some Days, the Execution of the Orders we have in our Hands, for setting a Day to the *Dutch*, to give our Masters Satisfaction to their *Ultimatums*, under the Menaces of the two Kings taking themselves, after that Term expired, for refused; and so to be thenceforward disengaged from any Offers, or Propositions they may have made, with Relation to the Conditions of the Peace, during this whole Negotiation.

WHILE we were in Care how to make this Step circumſpectly, and ſo as might be moſt for the Advantage of our Maſter's Service, that is, on the one Hand, to endeavour to bring the Negotiation to a certain Iſſue, within, or near to the Term at firſt propoſed by his Majeſty, and yet to try by all Means, ſo to order the Matter, that this Step, and what was to follow it, the actual breaking off the Negotiation, might, if poſſible, be brought to be made by the *Dutch*, and not by us, as a Thing that would neceſſarily carry an Odium with it towards the World; While this was in our Care, and that we ſaw every Day a greater Uncertainty than other in the *Dutch* Ambaſſadors, as to the Suddenneſs of their Return, or their breaking off the Negotiation, it hath happened, that not only we are in great Meaſure clear'd of the Doubts and Uncertainties we were in, as to the former Point; but that further Matter is likewiſe ariſen, of quite a new Nature, and ſuch as will require a ſpeedy and ſerious Conſideration.

YESTERDAY it ſeems, the *Dutch* Ambaſſadors having deſired an Audience of the Mediators, they had the Hour of four a Clock given them at the *Carmes*; the Mediators, according to the Appointment, being upon the Place: The *Dutch* Ambaſſadors, inſtead of coming themſelves, ſent a Secretary with a certain Letter, (a Copy of which we here ſend incloſed) by which they do not only give a flat and final Refuſal to our *Ultimatums*, but (as your Lordſhip will ſee) proteſt in a Manner againſt any further Proceeding in this Negotiation, till their Allies, the Emperor, the King of *Spain*, and the Duke of *Lorain*, be received into it, as Principals; and particularly till Paſſports be granted for this laſt to ſend his Miniſters to the Aſſembly; cloſing all with an Intimation, that they will expect henceforth, that a new Form be given to the whole Negotiation, new Methods ſettled, and even a new Mediation ſet on Foot.

THE Mediators were extreamly ſurprized at this Matter, and not more at the Thing itſelf, than at the Manner of doing it; the Secretary that delivered it, having told them, the Ambaſſadors would ſee them the next Morning, (which is this Day) for an Anſwer to it: All the Anſwer, the Mediators ſay, they will make for Eight or Ten Days, is, to pray leave to conſider of it; and about that Time, to give them for Anſwer, that they find themſelves without any Orders what Anſwer to make to a Propoſition ſo ſudden and unexpected; that they have given an Account in *Sweden* of the Thing, and are expecting the King their Maſter's Orders what to do in it. And thus, the Mediators ſay, they mean to draw on the Time, till it appear what Meaſures the two Kings will think fit to take on the one Hand; and, on the other, what will come of the Project now lately ſet on Foot, between the King their Maſter and certain Princes of the Empire, for a new Alliance for the Security of the Empire: In Order to which, they ſay, they are in Hopes that a Treaty is already concluded, or very near concluding, between *Sweden* and the Elector of *Brandenburgh*, tho', by what we can gather from the *French* Ambaſſadors, that Matter is not like to go on ſo faſt, and when it was done, they, the *French* Ambaſſadors do not ſeem to hope it will be ſuch, as to advantage much the common Intereſt of the two Kings in theſe Parts, as to the Difficulties now upon them, from thoſe new Engagements of *Holland*.

WE have been this Morning with the *French* Ambaſſadors upon this new Incident; and find them without any Orders, what to ſay or do upon it, only reſolved to give an Account of it to Court; and to wait what ſhall be thought fit to direct them in it: And this, we think, is

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all we can likewife do on our Part; and therefore we prefumed to difpatch away this by Exprefs; humbly befeeching your Lordfhip's Favour, that we may receive, with what fpeed convenient may be, his Majefty's Pleafure, as to our Conduct upon this great Incident; for till then, we find we are at an abfolute Stand in all our Bufinefs, the principal Aim of this Paper being wholly to put an End to our former Negotiation, and to beget a new one, of a quite different Shape and Conftitution. We are, *&c.*

To Sir *William Lockhart.*

Cologn $\frac{30\ Sept.}{10\ Octob.}$ 1673.

SIR,

THE Favour of yours of the $\frac{19}{29}$*th* from *Nancy*, comes juft to Hand. As we are offered this Opportunity of the *French* Ambaffadors Pacquet; the inclofed, being a Letter writ by the *Dutch* Ambaffadors to the Mediators laft Night, will give you a full View of the Pofture of our Affairs here; and will let you fee, what a flat and plain Refufal the *Dutch* think fit to make to the *Ultimatum* of the two Kings, and their Allies; even after the vaft Condefcenfions made by the Kings, and before yielding to any one Point, or clear offering of any Thing by Way of Approach towards a Peace is made by the *Dutch*. You will obferve likewife, SIR, the Defign they have to change the whole Scene of the Negotiation, by bringing in other Parties and other Affairs, that were very induftrioufly declined, when this Negotiation was firft enter'd upon: So that we, for our Parts, are now at a Stand, and like to be fo for a good while; fince we can act nothing till we have new Orders; and thofe upon fuch new Meafures, as our Mafter fhall have concerted with that Court. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{3}{13}$*th Octob.* 1673.

MY LORD,

SINCE our laft of the $\frac{30\ Sept.}{10\ Octob.}$ by the Exprefs Mr. *Bulftrode*, (a Duplicate whereof went by the Ordinary of the fame Day) we have the Honour of your Lordfhip's of the 22*d* of *September*, *O. S.* to acknowledge; and therein we have, by your Lordfhip's great Favour, an Occafion given us moft humbly to acknowledge his Majefty's infinite Goodnefs and Clemency, in pardoning our Misfortune, of having put an Article into the Mediators Hands about the Flag, which does not fuit with his Majefty's Senfe and Judgment in that Point; and now being poffeffed of his Majefty's Royal Pleafure, couch'd in that Article which your Lordfhip hath been pleafed lately to fend us, we fhall (if ever any Opportunity offers it felf) prefs to have it received, and infift upon it with that Dutifulnefs and Zeal we owe to his Majefty's Satisfaction and Service. This laft likewife that we have the Honour to receive from your Lordfhip, gives us Hopes, that we comprehend his Majefty's Senfe fully enough upon the Point of the Fifhery; and if ever we come to the wording of an Article, we fhall endeavour fo to exprefs it, that the Annual Acknowledgment be barely and folely in Confideration of the Liberty of Fifhing upon his Majefty's Coafts; and not mingled with any Matter of Convenience, that either

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by common Humanity, or by Connivance, the *Dutch* may take to themselves upon the Shoar: But that his Majesty may be the more fully satisfied herein, we shall take the Liberty to transmit a Project of this Article to your Lordship, if we see any Probability (as your Lordship will perceive by our last, how little there is) of bringing this Point, or any other, to an Issue.

We most humbly beg your Lordship's Pardon, if it do appear in any of our former Dispatches, that we did not rightly or fully comprehend his Majesty's Pleasure in the Matter of the Prince of *Orange*; we shall from henceforward so understand it, as that we are allowed to forego (if we be pressed hard to it) the making of him Hereditary Stadtholder, and Captain, and Admiral General, *&c.* so as that those Offices shall descend upon the Heirs Males of his Body, exclusively of all others; but we understand, that we are to adhere and contend, that he be confirm'd in those Offices for his own Life, in as full and ample Manner as any of his Ancestors were, tho' the Peace should turn and break upon that Point; nor shall we think ourselves concerned to communicate this *Relâchement* which his Majesty descends to, to the *French* Ambassadors, or the Mediators, unless we do discover, that this further Concession will either facilitate the Peace, or else serve to justify our Master, in putting the *Dutch* yet more notoriously in the wrong.

That Liberty which your Lordship is pleased to confirm to us from his Majesty, of enlarging or restraining the Period of the Treaty, as the *French* and we should see Cause, ceases to be (while Things stand thus as they do) any Part of our Business or Concern; for, as it was his Majesty's Pleasure, that we should come to the making of that Step, rather than that his Majesty should be at an Uncertainty (whether Peace or War) at the Meeting of his Parliament; so your Lordship will have judged, we doubt not, by our last Dispatch, that the *Dutch* have now made that Step before us, and have in Terms express enough refused the Peace, and declared for a War: Since there cannot be a more clear and categorical Answer in the Negative, upon his Majesty's *Ultimatum*, (as well as those of his Allies) than that which the Letter of the *Dutch* Ambassadors to the Mediators, on the *9th* of *October*, contains. For their saying, (as they do in that Letter) —— that their Masters can in no wise accommodate themselves to those *Ultimata*; and that they had commanded them, their Ambassadors, so to represent it to the Mediators, that they must cast themselves upon Providence and the Justness of their Cause; —— is the fullest and most categorical Rejection that can be, not only of the several *Ultimata* transmitted to them of the several adverse Parties; but also of that Project which the Mediators had proposed to themselves, as the fairest and softest Expedient they could think of (if not to bring the Parties nearer together, yet) to keep the Treaty alive, and the Negotiation of Foot, for some further Time.

It will be a mispending of your Lordship's precious Moments, to trouble you with those Conversations we are upon, almost every Hour, since the Mediators did communicate to us the Letters abovementioned from the *Dutch* Ambassadors; all Parties here delivering their Conjectures freely enough, but yet acknowledging themselves altogether to seek, how to make any Judgment, what new Orders or Resolutions this Incident will bring them, from their several Masters: The *French* Ambassadors are apt to believe, their Master will never give Letters of safe Conduct to the Ministers of *Lorain* to come hither; such having been denied him for four or five Years together at the Treaty at *Munster*:

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Yet they do not deny, but their Master is willing to come to an Accommodation with that Prince, and that they had treated together very lately; the Most Christian King not pretending to keep that Country to himself.

This new Mediation is not at all welcome to them; for they are not without Apprehensions of the Issue it may have, in Regard their Friends may be in a manner over-voted in it: Besides that, those Princes who are bound to enter into Action for them, (as *Sweden*, *Bavaria*, and *Hanover*) will dispense with themselves from acting, when they have taken upon them the Figure of Mediators; and yet notwithstanding expect their Subsidies and Pensions still to be made good unto them, as if they were in Action. And the House of *Austria* will probably have a bigger Influence upon this new Mediation, under Pretence of doing Right to the Empire, to the Prejudice of *France*, than it would have had upon *Sweden* (their old and inseparable Ally as they take it), had it stood alone in this Figure.

The Ministers of *Cologn* and *Munster*, on the other Side, are very fond of this new Scheme of Mediation; for, as they do not seem to be very much satisfied with *France*, as having not shewed such a Concern and Zeal to obtain for them their Pretensions, as they thought they had Title to, by several Engagements; they will (they hope) be better able to make their Party good with the Princes of the Empire, than with *Sweden* alone.

But the Mediators have above all a Passion for this Project; it will continue their Authority, and bring a considerable Strength to it; and it will cover that Inability they now labour under to break into Action, pursuant to their Treaty of last Year with *France*.

Yesterday the *Dutch* Ambassadors addressed themselves to the Mediators, for an Answer to their Letter of the *9th* of this Month, and in their Conversation they appeared to be more *fier* and haughty than ever; the Answer which they, the Mediators, gave them, was, that they had not yet had Time to communicate upon their Letter with the Adverse Party; the Mediators being desirous to see the Return of that Dispatch which they sent into *Sweden*, (it being expected within eight or ten Days) before they give any positive Answer to the *Dutch* Ambassadors upon that Letter. The Business of that Dispatch being, as M. *Sparr* told us, to represent how likely it was, that the *Dutch*, notwithstanding the Condescensions of the two Kings, would break off this Treaty, and to dispose their Master, the King of *Sweden*, to enter into Action. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{7}{17}$*th Octob.* 1673.

My Lord,

The last we presumed to trouble your Lordship with, was of the $\frac{3}{13}$*th* Instant, a Copy of which we take Leave to send here inclosed; since which, we have the Honour of your Lordship's of the *26th* of *September*, *O. S.* for which we return our humble Acknowledgments, and particularly for the Account your Lordship is there pleased to give us, of your Conversation with the M. *del Fresno*, upon Occasion of his Expostulation, concerning his Majesty's Resolution to send forthwith a Body of 4000 Foot to the Service of *France*; besides that, all the World

World sees evidently, we own all this insufferable Insolence we are forced to bear from the *Hollanders*, all the Difficulties we meet with in the Terms of our Negotiation, singly to the Support and Fewel *Spain* gives to that Flame. Besides this, (for which they may possibly pretend the Interest of their own Affairs, and Reasons of State) we find from all Hands, so great a Bitterness and Undecency in what they write and speak concerning his Majesty's Affairs, both at Home and Abroad, that, as your Lordship is pleased to observe, they seem no more the same People; having so of a sudden lost all that exterior Decorum, and Form at least, for which that Government had even hitherto been so particularly noted, in their Carriage to their Neighbours; and indeed, it is not without infinite Scandal, that we daily hear and read so much of this kind from the Partisans of *Spain*, and especially from *Flanders* Side.

As to the Treaty itself, and the Ends they or *Holland* may have at the Bottom proposed to themselves in it, we find now and then the *French* Ambassadors, and even the Mediators themselves, almost of the Opinion your Lordship says you were tempted to be of; that considering the very odd Composition the Treaty itself, as far as we see it, is of, and the slow Pace with which the Emperor, as well as *Spain*, go about the actual Execution of it, it looks but rather like a Grimace, and not as if it were indeed meant so much to carry on a War, as to precipitate all Parties and Humours into a Peace.

But hitherto we find every body holds the whole Thing for a Mystery, and conclude there must certainly be some separate Articles or Apendicles to that Treaty that we yet see not, which must seem to construe and make Sense of the rest; particularly if we may believe *Van Haren*, who said it very seriously and solemnly two Days since, to M. *Courtin*, that the *Dutch* are not by that Treaty in any Degree obliged to recal their Ambassadors from hence, or to break off this Negotiation; and *Van Haren* upon that Occasion assured him, they had no Thoughts of leaving this Assembly. But your Lordship judges most rightly, in what you are pleased to observe in the close of your last, that the great Crisis we must expect in the whole of this great Negotiation, and all that relates to it, is to be looked for from M. *de Turenne* on the one Hand, and from the Meeting of the Parliament on the other; and indeed, by all we can observe on this Side, much more principally from this latter; *Holland* and *Spain* having, for these three or four Months, in the most express and presumptuous Terms imaginable, undertaken in a manner to all this Part of the World, that the Parliament, at their Meeting, will not only peremptorily refuse all manner of Supplies to the King, but of proceeding to the obliging his Majesty (for in that indecent Style they speak) forthwith to change all his Foreign Alliances and Interests; and we have great Reason to believe this single Expectation, into which they have thus deluded the World, has contributed more to the Reputation of their Affairs in the Empire, and the engaging the House of *Austria*, with whatever else Alliances that draws with it, than any other Consideration whatsoever; which coming to be taken Notice of, and considered by a Parliament of *England*, would, we hope, (if other Considerations were wanting) provoke them sufficiently to justify their Duty to his Majesty, and what they owe to the Honour of the Kingdom, against such nefarious Reflexions; and we hope in few Weeks, with the Blessing of God upon that Meeting, to have, by your Lordship's Favour, wherewithal to do it.

We

We find nothing new to have happen'd of any kind in our Business since our last; the Mediators continuing yet to defer for some Days the formal Communication of the *Dutch* Ambassadors last Paper of the *9th* of *October*, in order to the gaining Time sufficient for them, the Mediators, on the one Hand, to know their Master's Mind upon that new Incident; and for the two Kings, on the other Hand, to consider of the Measures they shall find fit to take in it. In the interim of which, we are forced to be at an absolute Stand in all the Parts of our Negotiation. We are, *&c.*

A Monsieur le Duc de *Luxembergh.*

A Cologne ce 10/20 d' Octob. 1673.

Monsieur,

Le Capitaine *Arnold* nous ayant fait Sçavoir les Graces & la Protection particuliere qu'il vous à plû lui accorder, en consideration d'un Passeport que nous luy avions donnè au mois de Maij dernier comme à un gentilhomme de nôtre suite, nous croyons estre de nôtre Devoir de Vous en remercier tres humblement. Et puisq; il est assez malheureux, au qu'il nous escrit d'avoir des demêlez avec les parens de feuè sa femme, en ce pais-là, & qu'il n'a point d'esperance d'en bien sortir que par le seul appuy de vôtre justice. Monsieur, nous estans assurer qu'il est une-homme de bien & tel à qui nous devoions, toute sorte de bons Offices, tant pour sa fidelitè tous jours enuers le Roy nôtre Maistre, mêmes deuant son retablissement; que pour s'estre rangé sur nôtre depart de Londres de nôtre suite, prenons l'hardiesse, de le recommender encore plus particulerement àl' honneur de vous bonnes Graces & Protection, en vous assurans, Monsieur, que nous tiendrons grand honneur de rencontrer quelque occasion dans laquelle nous puissions vous temoigner comebien nous sommes avec toute sorte de Respect, Monsieur, *&c.*

To the Earl of *Arlington.*

Cologn 10/20th Octob. 1673.

My Lord,

Since our last, which was of the 7/17th by the Ordinary, a Duplicate whereof goes here inclosed, the Mediators called us to a Conference (it was the Day following) at the *Carmes*; their Business to us (as they said) was, to communicate that Letter of the *9th* of this Month, (several Copies whereof your Lordship will have received long e're this) which the *Dutch* Ambassadors had written to them, and wherein they declared three Things: 1. That the States their Masters could not by any Means come to an Accommodation, upon the *Ultimatums* of the two Kings and their Allies; as being Demands not only excessive, but also introductive of Ruin, and an eternal Servitude upon their Republick. 2. That they, the States General, have now taken Measures for a War, and entered into Alliances, and made Treaties (which were now exchanged) with the Emperor, and the King of *Spain*, and the Duke of *Lorain*; and that without the Intervention of these Allies, they could not continue this Negotiation any longer here; and there-

fore did require Passports for the Ministers of *Lorain*, to assist in this Treaty. 3. That they desired to know, what his Most Christian Majesty and his Allies did resolve, touching the Mediation heretofore proposed by the States of the Empire, in order to a general Peace.

M. *le Comte de Tott* open'd the Business with much of Preface and Solemnity; his Preface was, that the Letter itself was at first Matter of much Surprize to him and his Collegues; that therefore they, the Mediators, resolved not to impart it to us, and the other Ministers concerned, till they had first demanded from the *Dutch*, an Explication of some Words, particularly those of *utter Ruin* and *eternal Servitude*; which seemed to them very unusual and harsh in these kinds of Negotiation: That the *Dutch* Ambassadors had thereupon explained what they meant; and that they, the Mediators, had understood from M. *Appleboome*, the *Swedish* Minister at the *Hague*, that the Sense of those in Power there was the same with that which the *Dutch* Ambassadors had expressed in their Letter, and their Explication of it; adding further, that it was much against their Will, that they, the Mediators, must deliver the Sense of those People to us in their own Words, who did not know how to abstain from Expressions, very ungrateful and *choquant*; however, that the concealing of Things of this Nature from us, when they were urged and pressed on by the other Side, was not, as they conceived, reconcileable with that Sincerity and Faithfulness, which they, the Mediators, owe to his Majesty in this Office of Mediation; and therefore they did, as they said, take Leave to lay all that they had received from the *Dutch* before us, in Hopes it might be transmitted to his Majesty, and recommended to his great Prudence and Generosity.

This being said, Count *Tott* having the Letter in his Hand, read over the better half of it, and then desisting at the Word *Servitude*, began to declare what those Conditions were, which, as the *Dutch* imagined, would bring a *Ruin* and *Servitude* upon their Republick.

The first that the Count enlarged upon, was the Business of the *Roman Catholick* Religion: *France* insisting, as he said, that the Liberty of exercising it publickly, be allowed by the States in those Places which *France* hath conquered: This, the *Dutch* do say, (as he represented it) will very much endanger the very Being of their Government; the Number of the *Roman Catholicks* being so great in most Places, that the States will not dare to deny them any Thing they shall ask, when they find them under the Protection of *France*; and that *France* has Places so near bordering on their Countrey, that they will be able to run into the Heart of it, without any considerable Opposition, whenever the *Roman Catholicks* shall think fit to desire their Assistance and Protection; not that the *Dutch* do intend to abridge the *Roman Catholicks* of the private Exercise of their Consciences, while they behave themselves quietly and modestly in the Government; but that it will be a Ruin to them, and a Servitude upon them, to have them brought in Capacities of voting and bearing Offices, as well as of exercising their Religion publickly, and that at the Instance, and under the Protection of *France*.

The next Point of Ruin and Servitude that Count *Tott* fell upon, was the Establishment of the Prince of *Orange* Hereditary Stadtholder, pretended to (as he worded it) by the two Kings: This, he said, cannot be done, as the *Dutch* apprehend it, without an absolute Change in the Form and very Essence of their Government; he added further, (tho' he said it was a Thing perfectly *chimerique*) that the Prince of *Orange* might,

might, in Time, come to the Crown of *England*; and then the Provinces, especially those of *Holland* and *Zealand*, would become annexed as Appendixes to that Crown; in which Case, the *Dutch* did profess, he said, it would be much more eligible for them to return to their ancient Slavery under the *Spaniard*, in Regard that Nation is not capable of managing an Emulation in Trade, which is the only Subsistence of the Provinces, in any Proportion to that, which *England*, their only considerable Rival, doth carry on against them.

A *third* Thing which the *Dutch* do dread, as a Servitude, (as the Count was pleased to go on) is the yielding an annual Acknowledgment for the Fishery; this, he said, they, the *Dutch*, reckoned to be a new Tribute; and those that pay it, to be no more than Tributaries (that odious Word was often repeated,) to the Crown of *England*.

A *fourth* Piece of Servitude, was that of the Flag; for tho' (as the Count expressed it) the *Dutch* do profess themselves to be willing to do any Thing that has been done in former Times, by Way of Respect to the Crown of *England*; yet they do dread something is now intended to be imposed upon them, that shall amount to an Acknowledgment of his Majesty's Dominion in the *British* Seas.

The *last* Thing enlarged on, the Count did not so expresly call a Servitude, as a Ruin to the very Being of their *East India* Company, which was so considerable in their Common-wealth; it was, that we pretended to have such an Adjustment in the Matter of Commerce, as will destroy their Trade in the *East Indies*; and that we desire to have it presently settled by this Treaty; whereas, since it concerns their very Being, they ought to have Time sufficient to deliberate about it.

Here Count *Tott* was pleased to make some Pause, and to repeat that Apology he had first made, for his representing of these Things *naivement*, as they had been urged upon them, the Mediators; saying, that tho' they condemned several of these Things to be impertinent and *chimerique*, at the very first View; yet they thought it to be for his Majesty's Service, and the good of the Peace, to have them all truly and fully represented to him.

Here he took Occasion to add, that the *Dutch* were a People that was to be reputed Sick at this Time; and therefore to be pitied and cured of a great Weakness in their Judgments and Imaginations; that the Prince of *Orange* has had the Luck to lead them hitherto by the Nose, and to prevail upon their Understandings by Declamations of this Kind, not only concealing from them the Abatements which the two Kings have made in their first Demands, but also representing to them those very Demands, with all the Exaggerations and odious Inferences that they can possibly fasten on them.

The Count being told, that the Persons to be applied to and cured, were not those of the common People, in Regard it is not in their Power to contribute any Thing to the Peace; but rather, the Prince of *Orange* and the *Spaniards*, were to be cured of their Fears; his Answer was, that *Amsterdam* and other Towns were still in a Capacity of being undeceived, and the more, since this new Alliance with *Spain* hath been enter'd into; which the Generality does already judge to be but little useful at the best, will be at the last very burthensome, if not undermining to their Government; therefore that there are still Hopes, the People will force their Governours to give them a Peace, when the other Side is seen to have descended to reasonable Terms.

THOSE Answers being given, and Protestations made, which were suitable to the Tenour and Explication of the *Dutch* Letter, as far as it concerned us, the Mediators did not enlarge upon the other Points of it; saying, that the Matter of Passports for the Duke of *Lorain*, concerned the *French* only; and that the other Point, concerning the Mediation proposed by the States of the Empire, having been put in at the Instance of the Baron *de Lysola*, they, the Mediators, did not find the *Dutch* Ambassadors at all concerned for an Answer upon it.

THE *French* Ambassadors, after their Conference with the Mediators, gave us Part of what had passed; telling us, *first*, that the Mediators had given them an Account of what they had spoken in our Affairs, which gave them, the *French*, an Occasion, as they told us, to tell the Mediators, that whatever we should think fit to insist upon, they were bound to stand by and support us; and that they must judge our Demands to be just and reasonable, notwithstanding those Reflexions, and that comment made upon them by the *Dutch* Ambassadors in their Letter, and by Words of Mouth: Then they proceeded to give us an Account of their own Affair and Concern, in the same Letter which the Mediators had communicated to them likewise with Solemnity: They told us, it was the Matter of the Passports for the *Lorainers*; and gave us those Reasons, which they had, they said, laid before the Mediators, in order to satisfy them, in that the Most Christian King thinks fit not to admit that Duke into this Treaty; having given your Lordship those Reasons at large in our former Letters, we take leave to think it needless to repeat them here.

THE *French* Ambassadors passed over the Matter of Religion, as if it had been no Part of that Discourse which the Mediators had had with them; and tho' they were told it was the first String that the Mediators had touched in their Conference upon our Affairs, (tho' it concerned us not at all) yet they passed it over without any Account of it, or Concern in it, with a Silence more than usually affected.

THIS we humbly take leave to take notice of to your Lordship, with some Remark, lest the *French* Ambassadors, and the Mediators too, would have it understood, that the Peace sticks principally, and in a Manner turns upon our Demands, and not so much upon those of our Allies; whereas if the *Dutch* be in good Earnest, and what they write in that Letter be to be credited, the Negotiation is now upon Terms of holding or breaking off, as the Passports shall be granted or denied to the *Lorainers*; and tho' the *French* do say, they have satisfied the Mediators with their Reasons, yet we have Cause to think, the Mediators do not take their Reasons (for not granting those Passports) for current Payment; however, tho' the *French* should be content to sacrifice the Matter of Religion to the Peace, and should accommodate the Affair of *Lorain*; yet neither the Mediators nor they will have Reason to say, that the Peace sticks more at our Demands than at theirs; supposing the Temperament that his Majesty has thought fit to entrust us with, in the Case of the Prince of *Orange*, be added to the rest of his Majesty's Condescensions; for there will be infinitely more Difficulty to satisfy *France*, in the Equivalent it now demands out of the *Spanish Netherlands*, (tho' the rest of their Demands should prove easy) than in all the rest of our Points.

THIS Apprehension has brought us, under his Majesty's gracious Favour, to resolve, that tho' all the Parts of the Negotiation be at this present at a Stand, yet that it is for his Majesty's Service, to give the Mediators sufficient Light, that his Majesty will be pleased to depart from

from the circumstance of Hereditariness in the Article of the Prince of *Orange*, provided he have full Assurance, that his other Points will be entirely granted him, without any further chaffering or diminution: This Article being, as it now stands, the least defensible, as we conceive, the sooner we discover we have Liberty to yield it up upon Terms, the less Pretence and Colour will be left to the *Dutch*, to the Mediators, and to our Allies, to say, we have any harder Terms in our Demands, or such as the Peace will more stick upon, than the rest of our Allies; and therefore we resolve to wait on the Mediators to Morrow Morning for that Purpose.

We have now the Honour of your Lordship's Letter of the 2*d* Current, by the Express Mr. *Petit*, and therein the Comfort to see your Lordship still pleased to continue your Protection to us with his Majesty, upon whose infinite Goodness and Royal Clemency, it will be our Happiness, as well as our Duty, to throw ourselves, how unsuccessful soever our Negotiation shall happen to be. We shall apply ourselves, all we can possibly, to observe and execute those Particulars which your Lordship is pleased to recommend to us; and we shall, to Morrow Morning, wait upon the *French* Ambassadors, to communicate with them upon his Majesty's Pleasure, as we have it now declared to us, touching a Cessation of Arms, and touching those Princes of the Empire, that are willing to be admitted to this Mediation. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{14}{24}$*th Octob.* 1673.

My Lord,

By our last, which was of the $\frac{10}{20}$*th* Instant, by the Ordinary of that Day, a Copy of which we take leave to send here inclosed, we gave your Lordship an Account of the Communication solemnly given us the $\frac{8}{18}$*th*, by the Mediators, of the late Paper of the *Dutch* Ambassadors of the *9th* of *October*, of the Comment and Explanation they gave, as they pretended, out of the Mouth of the *Dutch*, to some harsh expressions in that Paper; with what Aim and Intention it seemed to us, that the Mediators gave that turn to what they said, and of the Resolution we had presumed to take upon what had passed upon that Occasion, forthwith to make some Discovery to the Mediators, of the Condescension his Majesty is pleased yet further to make in the Article of the Prince of *Orange*; that is, the Abatement of the Circumstance of Hereditariness, provided he have his other Conditions granted, and that the Peace come singly to turn upon that Point; and as we judge it for his Majesty's Service, to take this Occasion to give so much Light to the Mediators, and the *French* Ambassadors, of this Abatement, as should serve to take away all Colour from either of them, of pretending the Negotiation can in any Degree be thought to stick at us; so we did not think it necessary, just to make a formal and express Declaration; that the King did from henceforth actually desist from that Circumstance, but rather to keep that in our Hands, in Hopes we may hereafter, upon Occasion, notwithstanding the Intimation we have now given them to expect the Thing, be able to value it to them, to his Majesty's Advantage, when it pleases God, we come again to negotiate upon the Matter of our Demands. Whereupon, having received the $\frac{12}{22}$*th* Instant, the Honour of your Lordships of the 2*d*, *O. S.* in which your Lordship

ship is pleased, among other Things, to inform us of his Majesty's Mind, as to the two Points proposed by the Mediators, *viz.* the general Suspension, and the drawing in the *German* Princes, for the strengthning the Mediation; we are resolved next Day to communicate it, as well to the *French* Ambassadors as Mediators; and that taking that for the Pretence of our formal Audience in both Places, we would, as it were by the by, give an Insinuation of his Majesty's Inclination, as to the Circumstance of Hereditariness in the Prince of *Orange*'s Matter; and accordingly having first communicated to the *French* Ambassadors, in the same Manner and Degree we had resolved to do it to the Mediators, yesterday in the Afternoon we took an Audience of the *Swedes* Ambassadors, where we acquainted them, that his Majesty, as well upon what we represented from hence at the Desire of their Excellencies, as upon the Instances made at the same Time by M. *Leyenbergh*, on the Part of the King of *Sweden*, as to a general Suspension, his Majesty had declared, that in that Matter he did entirely refer himself to what should be the Mind of the Most Christian King; that, for his own Part, his Majesty would willingly consent to it, if the Most Christian King be of the same Mind; and that his Majesty had in the like manner commanded us to answer, as to the Point of drawing in the Princes of the Empire to strengthen the Mediation, that his Majesty refers it to his Most Christian Majesty, to over-rule any Opinion his Majesty might himself otherwise have in the Point; his Majesty leaving it all along to the Most Christian King, to judge what is, or is not, to the Advantage of the common Affairs in the Empire.

The Mediators received this Declaration of his Majesty's Mind with great Acknowledgments of his Majesty's Moderation and Condescension, in Favour of whatever may advance the Peace; professing with much Earnestness, they were obliged on all Occasions to bear that Testimony, to the Fairness and Sincerity of his Majesty's proceeding in this Negotiation; adding, that they would not fail to give the King their Master an Account, particularly of his Majesty's great Readiness and Disposition on his Part, to condescend, at the Instance of their Master, in these two Points.

From these two Points, which we made to be the whole of our Business in the Audience, we lead the Discourse by the by to the State of the Negotiation as it now stands; where we found plainly, what we had all along judged, that notwithstanding the Satisfaction the *French* Ambassadors pretended to have given to the Mediators, by their Arguments in the last Conference at the *Carmes*, as to the Business of *Lorain*, so as that the Negotiation at present was not to be thought chiefly to stick there; we found by the Mediators, that absolutely the *Dutch* Ambassadors, and particularly *Beverning*, had again and again, now within a Day or two, finally declared to them, that they could not hear of any further Business, relating to the Negotiation in any kind, till they had received Satisfaction in the Point of the Duke of *Lorain*, and that Passports were granted for his Ministers to repair to the Assembly. So, as the Mediators said, that was the Point at which they were now labouring for some kind of Expedient, to prevent a flat and abrupt breaking off of all. The rather, as they said, because if they could but once get over that Rub, they had good Hopes Things were yet, for all this, in Terms very capable of an Adjustment, and the Conditions of the Peace not to be despaired of: Here we took Occasion to slide in the Insinuation, we had resolved on in the Matter of the Prince of *Orange*, saying, we doubted not but they, the Mediators,

would

would acknowledge the King our Maſter had done whatever was poſſible on his Part, toward the Peace, by the great and generous Abatements he had ſo eaſily declared in all the Parts of his Demands, where reaſonably any Thing could be found, that could ſeem hard and difficult: That there ſeemed now to remain but one Point, that they, the Mediators, thought a little ſevere in his Majeſty's Demands, which was, the Circumſtance of Hereditarineſs in the Article of the Prince of *Orange*; and if it pleaſed God, the Matter of the Negotiation came to be reſumed, and that his Majeſty had the reſt of his Points granted, ſo as that the Peace came ſingly to turn on that Circumſtance, we had Reaſon to believe, his Majeſty would be willing, for the Sake of the Peace, even to deſiſt from that Circumſtance (of making the Charges Hereditary upon the Prince of *Orange*); and this Inſinuation we repeated in ſeveral Places, twice or thrice; and the more expreſly, becauſe we had underſtood by the Count *Tott*, in the former Points of our Converſation, that M. *d'Odyike*, and ſome one other of the *Dutch* Ambaſſadors, were now in a few Days returning to the *Hague*, and that it was very likely *Beverning* was to be the other that was to return, ſo as we were deſirous ſome Light of this Inſinuation of ours, in the Matter of the Prince of *Orange*, might be given out early enough for them to carry Home along with them.

Thus much Light we thought neceſſary upon this Occaſion to give the Mediators, upon his Majeſty's Condeſcenſions, in the Article of the Prince of *Orange*; and we moſt humbly beſeech his Majeſty's Grace, if it be not according to his Mind, we did it upon the beſt Deliberation we could; and therefore we ſhall humbly hope, his Majeſty will, according to his wonted Goodneſs, forgive us, if we have miſtaken in what we have done.

In the Cloſe of our Diſcourſe, we took Occaſion, ſpeaking of his Majeſty's Deſire in this whole Treaty, to be principally as to make a fair and equal Peace; not to aim at or deſign any Thing, that might be ruinous, or even grievous to the *Hollanders*; ſo eſpecially, that all Things might be ſo clearly and plainly provided for, as to prevent all future Differences and Diſputes in the Execution of it: We took Occaſion to touch two or three Words upon the Buſineſs of the Flag, and ſo to make Way for the withdrawing the firſt Article, and the putting in the ſecond Draught, ſent us by his Majeſty's Order, when the Matter of the Negotiation comes to be reſumed.

We are expecting what this Diſcourſe, of two of the *Dutch* Ambaſſadors returning to the *Hague*, will come to; M. *d'Odyike* owns he has Leave to make a Step Home for ſome Time, with Intention, as he gives out, to bring his Lady hither; and it's ſaid, M. *Beverning* has let fall, in ſeveral Places, that he likewiſe hath Leave to return for ſome Time; and tho' the one and the other pretend, it is at their private Requeſt, and only in Conſideration of their particular domeſtick Affairs; yet the Mediators are of Opinion, if any two of them do indeed leave the Aſſembly, it is in Execution of that Clauſe of the Treaty between *Spain* and *Holland*; and that it is to be taken for a Sign, that they intend not at all to proceed further in the Negotiation here; that the two that are left here, are for Form and Pretence, only to avoid the Odium they apprehend to incur with the World, ſhould they not ſeem ſtill to continue a *Quorum* of their Embaſſy upon the Place; but that it is indeed with a Reſolution not to do any Thing in the Treaty: So as this Morning, the Mediators were reſolved to attack them again upon the Point, and to be a little plain with them, as to the Interpretation they,

they, the Mediators, ſhall be forced to put upon their leaving the Aſſembly, in caſe any two of them, eſpecially *Beverning* for one, ſhould return for *Holland.* What the Iſſue will be, is not known. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{17}{27}$*th Octob.* 1673.

My Lord,

THE laſt that we preſumed to trouble your Lordſhip with, was of the $\frac{14}{24}$*th*, by the Ordinary, a Copy whereof (as alſo of our Letters ſince Mr. *Bulſtrode*'s Departure hence, partly in Regard of the Uncertainty of the Pacquet Boats in this Seaſon, and partly in Regard of the difficult Paſſage through *Flanders*, ſince the War hath been there declared) we take the Liberty to incloſe in this Diſpatch.

Since our laſt, the ſame Day (at three, after the Hour of the Poſt) arrived Mr. *Bulſtrode* here, in very extraordinary Diligence, with the Honour of your Lordſhip's of the 8*th*, *O. S.* wherein we find, by your Lordſhip's Favour, a very ſignal Inſtance of his Majeſty's Royal Grace and infinite Goodneſs towards us, in taking ſuch Care as he hath done, that we ſhould not fail to make the Step which relates to the Prince of *Orange* in due Time; and that we ſhould not precipitate any Declaration or Act, relating to the Rupture of this Negotiation, before his Majeſty ſhould point out to us the true Seaſon for ſo doing.

That Step which related to the Prince of *Orange*, we had adventured to make before we received the Honour of your Lordſhip's laſt Letter, conceiving ourſelves to be ſet at full Liberty, by your Lordſhip's of the 22*th* of *Sept.* to do it: It is true, we did not think it neceſſary to make a full and a formal Declaration at this Time, that his Majeſty did now abſolutely deſiſt from urging the Point of Hereditarineſs; becauſe we were not ſo engaged in any Part of the Negotiation, as that the explaining and ſoftning of that Article, would bring any Difficulty or Furtherance to the reſt of our Work: Our Deſign was, to take off from the *French* Ambaſſadors, and the Mediators too, all Pretences that might be raiſed from the *Dutch* Declamations and Comments upon that Article, as if our Demands carried more of Ruin and Servitude to that Common-wealth along with them, than the Demands of the Moſt Chriſtian King ſeemed to do; and to give the Mediators ſufficient Light, (and a very little will do it with Men that preſs ſo earneſtly and ſo inceſſantly for Abatements, as they always do) that his Majeſty hath ſomething ſtill left to deny himſelf in, and to ſacrifice to the Peace of *Chriſtendom*, whenever he ſhall perceive that the Fate of this Negotiation is concerned in it; and that the *Dutch* will yield to thoſe other Things that are indiſpenſably neceſſary to the Honour of his Crown, and the Subſiſtence of his Subjects in their Rights and Commerce.

Thus far we have gone, in Contemplation of the faſtning this *item* upon the *Dutch* Ambaſſadors, before their Departure for *Holland*; nor are we (under his Majeſty's moſt gracious Favour) of Opinion (as Things now ſtand) to go any further, notwithſtanding the Liberty now renewed to us; for if the Negotiation do not go on, this indirect Notice is ſufficient to affect the Mediators, and the *Dutch*, in order to thoſe Ends we propoſe to ourſelves, preventing by this Inſinuation, ſuch Objections as might be made againſt his Majeſty, as asking Things extreamly difficult to be compaſſed by Treaty. But if it do go on, the actual

actual quitting of this Circumſtance, will be ſtill in our Power to value the reſt of his Majeſty's Demands upon: Beſides that, in our laſt Audience we took the Liberty to mind the Mediators of their Promiſe, that we value ourſelves upon, they had often made it, and then confirmed it to us, that they will labour and contend for his Majeſty's Satisfaction in his Demands as they now ſtand, without Regard to any Expectation or Hopes, that his Majeſty's Royal Goodneſs may give them, of any further Softning or Abatements: And we cannot but think, there may be a Time, and that will be whenever the Thoughts of Peace are prevailing, that his Highneſs the Prince of *Orange*, will find his Majeſty's Royal Concern for his Eſtabliſhment, will deſerve a better Regard and Management, than now it ſeems to meet with on his Part.

We are very glad his Majeſty is pleaſed to command us, to expect his further Pleaſure, before we attempt any Thing of Vindication of our Proceedings here; for the *Dutch* having hitherto lead the Way, in all the difficult and uncouth Steps, towards the breaking this Negotiation, it will be natural for them to begin with ſome Eſſays in Defence of their Conduct; and then we ſhall be better enlightned what Meaſures to take, in order to throw the Wrong and the Shame upon them; and as we aſſure ourſelves they have done ſo many Things unhandſome and ungrateful to the Mediators, that they will never be able to draw from them the leaſt Teſtimony that may make for their Juſtification, or Excuſe to the World; ſo we ſhall have the Help, if not the Conjunction, of the Mediators, and the whole Alliance, to retort upon the *Dutch*, if they offer to make any falſe Repreſentations of Proceedings in this Place.

What we took the Liberty to advertiſe your Lordſhip in our laſt, that two of the *Dutch* Ambaſſadors (who prove to be M. *d'Odyike* and M. *Beverning*) are ſuddenly to leave this Place, hath been every Day confirm'd, and now holds as a Thing undoubted; *Sunday* next $\frac{2}{?}$*th*, is the Day they have ſet, and Boats are hired to carry down their Baggage as well as themſelves: The Mediators being aware of their Deſign, and propoſing to themſelves to diſſwade them from it, ſent their Secretary on *Tueſday* Morning to them, the *Dutch* Ambaſſadors, to give them a Meeting at the *Carmes*; M. *Van Haren* being the only Ambaſſador that could then be ſpoke with, told the Secretary, he feared that himſelf and his Collegues were no more at Liberty to attend Meetings at the *Carmes*, in Figure of Conferences with the Mediators; however, that he would adviſe with his Collegues, and ſend the Anſwer by a Meſſenger of their own. The Anſwer was, that they deſired to be excuſed from rendring themſelves at the *Carmes*; but that they would readily wait on the Mediators at their own Houſe that Day, and would be glad to ſee them at any Time at theirs, the *Dutch* Ambaſſadors: The Mediators were not able to perſwade them, when they came, to forbear or defer their Journey; all they drew from them were Excuſes: M. *d'Odyike*, that he went to fetch his Lady hither; and M. *Beverning*, that he muſt carry Home his Wife, ſince both of them could not be longer at this Diſtance from their domeſtick Affairs; and that they, the Ambaſſadors, would be here again about three Weeks hence.

This the Mediators were further from being ſatisfied with, in that it looks like their executing of the new Treaty with *Spain*, by a plain Illuſion upon the Mediation, now at a Time that the *Spaniſh* and *Holland* Troops are appearing in this Neighbourhood; for they are certainly come over the *Meuſe* about *Venlo*, and are now ravaging the Country of *Juliers*, and this Dioceſe; intending an Impreſſion upon

Nuys and *Zous*, upon this River. Some of the *Imperial* Troops have likewiſe appeared this Side *Mentz*; and Marquiſs *de Grana*, in his greetings to his old Acquaintance in this City, tells them, he will be very ſuddenly here with that Army. Upon thoſe Appearances, the Duke of *Newburgh* hath left *Bensburgh*, long before the uſual Time, and is gone to *Duſſeldorp*; and 'tis certain this Elector thinks not himſelf ſafe at *Bonne*, but is coming to the *Chartreuſe* here, for the Safety of his Perſon. The incloſed to your Lordſhip, we have from Count *Hohenlo*, 'tis about an ancient Pretenſion of Arrears which his Family has againſt the *Dutch*: We cannot comprehend what his Majeſty can do in it, otherwiſe than by Way of good Office and Recommendation; his Envoy (as he calls him) brought this Pacquet, and another to his Highneſs Prince *Rupert*, and left with us the State of his Caſe in good Form. We are, &c.

To the Earl of *Arlington.*

Cologn $\frac{21}{31}$*th Octob.* 1673.

My Lord,

THE laſt we preſumed to trouble your Lordſhip with, was of the $\frac{17}{27}$*th*, which we took leave to ſend by Mr. *Bedford*, not for the Importance of any Thing we had then to write, but to ſecure ourſelves againſt the Accidents that might have befallen our ſeveral Diſpatches ſince that Mr. *Bulſtrode* carried; of all which therefore we thought fit to ſend your Lordſhip doubles by this laſt Expreſs.

We are afraid he will have found the Paſſage very difficult, eſpecially croſs the Electorate, and Dutchy of *Juliers*, by Reaſon of the Prince of *Orange*'s Army; ſo as his Diligence may not have been what your Lordſhip might otherwiſe have expected; but, we hope, he will arrive ſure at laſt; and we apprehend, with your Lordſhip's good liking, that conſidering the great Uncertainties of this Seaſon of the Year, beſides all other Conſiderations, it will be neceſſitous henceforward, once in ten Days, or a Fortnight, to ſecure all by an Expreſs.

Saturday the $\frac{18}{28}$*th* Mr. *Stradtſman*, Vice Chancellor to the Duke of *Newburgh*, in his Dutchy of *Juliers*, and who remains here on the Part of that Duke during this Aſſembly, came to us in the Name of his Maſter, to pray our good Offices with the Baron *de Lyſola*, for his Recommendation to the Prince of *Orange*, that Order might be taken to prevent the great Spoils and Ravage committed by his Troops in the Dutchy of *Juliers*; conſidering the Duke his Maſter had preſerved himſelf a perfect Neuter all this Quarrel, and that his Territories being otherwiſe Members of the Empire, he ought to be ſecured by the Treaties of *Weſtphalia*, from all Spoils and *Degâts* of that Kind; we thought it our Duty, according to what we have enjoyned us in the general as to that Duke, by our Inſtruction, and ſuitable to the particular Affection the King is pleaſed on all Occaſions to expreſs for his Perſon and Intereſts, readily to offer the beſt Recommendations we could give him in the Matter; and accordingly, immediately after Dinner, we made our Viſit to Baron *de Lyſola*; he received our Interpoſition ſeemingly with much Civility, adding in his uſual Style, that he was very proud of any Occaſion to pay that particular Duty he had ever preſerved for the King our Maſter, and all his Commands: That as to the Thing itſelf, tho' the Emperor had Reaſon in ſeveral Things not

to

to be altogether so well satisfied with the Carriage of the Duke of *Newburgh* of late, as particularly, in his withstanding the Execution of a certain Judgment, now lately given in the *Aulick* Council, (as it is call'd) in a Cause between him and the States of his Dutchy of *Juliers*; and something likewise relating, as he said, even to the present War; yet that he, the Baron, knew well, it was the Emperor's Mind, no Violence or Disorder should in the least be committed in any Part of his Territories; and that therefore he had already by advance fent a Gentleman, on Purpose to recommend the Matter to the Prince of *Orange*, and would himself the next Day, if his Health permitted, go in Person to the Prince's Camp to second that Instance.

We immediately returned this Account to M. *Stradtsman*, who received with great Acknowledgment that Honour his Majesty had done his Master, in thus owning his Interests; and forthwith gave his Master an Account of it: We took this Occasion to make the King's Complement to that Duke, upon the Overture that was some Time since made on his Part by the same M. *Stradtsman*, concerning the general Suspension, and the new Mediation upon which we had received his Majesty's Pleasure, in your Lordship's of the 8*th* Instant.

In our Return from the Baron *de Lysola*, we made a Visit to the Mediators, where the Count *Tott* gave us an Account of his having seen that Afternoon *Don Emanuel de Lyra*: It was the first Interview they have had; and having been at a third Place, we perceived plainly, it had been made by an Appointment; the Count *Tott* told us, he had found him a very frank open Dealer, and had learnt a great deal more of the true Mind of those Allies, as far as their Mind could be thought to be known by any Body, than he had yet understood; that *de Lyra* told him plainly, it was to no Purpose to think ever to make one Step in this Negotiation, without admitting first the Duke of *Lorain* into the Negotiation; that it was absolutely resolved to carry that Point, and not only for him, but for any other Ally they now had, or hereafter should bring into their Confederation; that there was no more, and possibly not so much Reason, why the King of *France* should except against the admitting the Duke of *Lorain* into this Treaty, as why the Emperor should against treating with the Elector of *Cologn* and Bishop of *Munster*, who are in some Measure Subjects to him, at least to the Empire they are: So, as he said, all Thoughts must be laid aside by them, the Mediators, of ever getting over that Rub. The Count *Tott* answered, he was sorry to hear him of that Mind; that Monsieur *de Lysola*, when he had discoursed upon that Point, had answered him much more moderately, and not without Hopes, that an easy Expedient might be admitted in it; the other answered, *M. de Lysola* had a Language of his own in all these Matters; and he (*Don Emanuel*) told him the Truth, and it would be found to be so; that they were resolved the Peace should be universal, and take in the Interests of all the neighbouring Princes, whoever they were, that had Cause of Complaint; and that if they (meaning them, the *Spaniards* apart) should find any of their Allies faint-hearted enough to forget themselves, and fall back to mean and low Conditions, they were able to make them come to themselves, and would be sure to do it. It was true, he said, he confessed, they (that is, the *Spaniards* and *Imperialists*) had neither Men nor Money, and that particularly in *Spain* they had not raised one Man the more for this War, nor were they otherwise in any Degree prepared for such a War; but that, however, having born as long as it was possible in any Patience to do it, they were now resolved to

be no longer braved, or insulted over; but, whatever came of it, would at least fall with their Arms in their Hands, if they must fall.

UPON this Count *Tott* made this Conclusion to us, and told us, they saw plainly the Allies would insist upon that Matter of *Lorain*; and that that must be the first Point, they, the Mediators, must apply to.

FROM this our Discourse, we passed by Chance to some Parts of the Matter of our Negotiation, and particularly to two of our main Points, the *Flag* and the *Fishery*. The Mediators, as their Part is, pleaded in the Person of our Adversaries, and the Count *Tott* indeed fairly and moderately; but his Collegue M. *Ehrensteen*, with a little more Concernment and Prejudice, as we judged, than was reasonable.

UPON the Point of the Flag, among other Things that passed in this Conversation, Monsieur *Ehrensteen* let fall, that *Beverning* had now very lately, within a Day or two, told him in plain Terms, they would never agree that Point should be given us, as of our Right; or that the Article should be so worded, as that it should appear to be given us, as of our Right; that it's true they were willing, for the getting of the Peace, to agree to do it for the future; but that they would never suffer it should be said to be our Right. This he let slip (it seems) unawares, for it having been immediately laid hold on by us, as an evident Demonstration to the Mediators and the World, how ill disposed the *Dutch* were to the Peace, and how very unreasonable, and indeed unjust, they were in the Conditions they offer; and having particularly desired, he, the said M. *Ehrensteen*, would remember the Declaration *Beverning* had thus made to him in the Point, he seemed to fly off, saying, we must excuse him for that, he would give no Testimony, *&c.* and so we went off that Argument.

THE Count *Tott* told us, they were still of the Mind to make some Kind of Project for the Parties, upon the Refusal of which, on the Part of *Holland*, as they foresaw most certainly *Holland* would refuse it, be the Conditions never so moderate; they should, they doubted not, be able not only to have their own Master to speak out to the Purpose, but to engage several other Princes of the Empire to joyn with them, in obliging the *Hollanders* to Reason. We answered; we could say nothing to that Matter; we were confident they, the Mediators, would own the two Kings, and especially the King our Master, had already of himself moderated his Demands to that Degree, that all the World must justify his Majesty to have offered the Peace upon most reasonable and easy Conditions, and conclude the Necessity there is to use other Arguments than those of Reason, to bring the *Dutch* and their Allies to accept the Peace.

THE Count went on, that it was true they had Thoughts of proceeding by this Way of Project, but that they found it so disagreeable to all Parties, (he meant *France*, we suppose) that they doubted now whether they should do it or not: Only he said, to shew they had not yet done any Wrong to the two Kings and their Allies, in what they had hitherto framed of that kind, the last Project they had given in to the *Dutch* Ambassadors, for the keeping alive the Negotiation, having been by them, the Mediators, communicated to the Elector of *Brandenburgh*, the Conditions had been found by him to be yet too hard upon the *Hollanders*; and this, they said, had been written to them the other Day, by their Minister in that Court: From whence we take Leave to observe to your Lordship, what we had heretofore sometimes presumed to hint, as the private Sense of the *French* Ambassadors in this Matter; how unsafe it may prove in the end, to leave it to this

new Mediation, or third Party in *Germany*, to frame Projects for the two Kings and their Allies, unless their Majesties have a Care early to take their Securities and Precautions upon them.

We told your Lordship in our last, the Preparation M. *d'Odyike* and *Beverning* had made for their Departure, which they designed should have been on *Sunday*, but it seems the Mediators had been so warm with them upon that Matter, that M. *Beverning* had been with them since to tell them, he was very sorry to find his Departure was like to be made a Matter of so much Consequence; that it was a Favour the States had granted to his Importunity, barely in Consideration of his Domestick Affairs; and that he should be very sorry it should turn in any Degree to the Disservice of the State; and therefore he intimated, that rather than that should be, he would suffer any Inconvenience in his own Affairs. So as now it is uncertain, what Resolutions he may finally take in the Thing; only it is believed, while the Prince of *Orange* continues any where in this Neighbourhood, neither he nor M. *d'Odyike* will think of taking that Journey.

The News of the Prince of *Orange*'s Approach, puts these Countries into a little Alarm, the more, because, upon the Confidence of the *French* being at Hand to cross any such March, they had all along left their Places very meanly provided: His Highness having passed his Troops at *Venlo*, the soberest Account we can have, says, they did not appear, at their being drawn on this Side, above 10 or 12000 Men effective, tho' they gave themselves out for twice that Number, and at the lowest 15 or 16000; but by all the Observations that have been yet made, we cannot judge them above 12000 Men, and most of those but very ordinary Troops. The *Dutch* consist in 4 Regiments of Foot, one of Dragoons, and the rest Horse; the Principal Officers and Persons of Note with the Prince are, the Count *Nassaw*, the *Rhinegrave*, *C. Flodorp*, young *C. Staremberg*, *Belnitz*, *Brederode*, *Overkirk*, *Pr. Courland*, *C. Chaillard*, *C. de Warfuze*, *Wassenaer*, *Sgravemaer*, *Opdam*, &c. Of the *Spaniards*, they reckon 3 Regiments of Foot, indifferent good Men, and the rest Horse, under the Count *d'Assenlar*, the Master *de* Camp General, and *Lovigny* his Lieutenant General. Their Artillery consists but in 8 or 10 small Field Pieces, and 2 Mortars. Their first Design seemed to be upon *Nuys*, but upon some Intelligence they received from *Montecuculi*, they turned off at *Castre*, and took their Way near this Town towards *Bonne*. *Saturday* and *Sunday* the Prince quartered at *Frowiller*, an Abbey two Hours from this Town, near the Way to *Ruremond*; where we sent Mr. *Fairfax* on *Sunday* Afternoon, to do our Respects to his Highness, thinking best to forbear waiting on him ourselves, for the Consequences any such Interview might have had in this Conjuncture of Affairs. He was pleased to send a Gentleman the next Day to thank us for our Compliment; and having quartered the last Night at *Breuit*, a Castle belonging to this Elector, three Hours from hence, he is this Day marching towards *Bonne*, with Design, as we are told, to leave that Town untouch'd, as he has done likewise the Castle of *Brevill*, and to take his Way up towards *Andernack*, to joyn the *Imperialists*. This sudden Alarm from the Prince of *Orange*'s March, made us think with the *French* Ambassadors, of providing early for the Safety of the Elector, as well to prevent any Affront that might be intended to his Person, as to secure ourselves against the Practices that might be formed by our Adversaries; by the Favour of this sudden Hurry and Alarm, for the bringing him to a separate Accommodation; which is a Design they are known to have on Foot some time. Accordingly *Saturday* Night,

Night, the Elector was brought privately from *Bonne* to this Town, where he yet remains in the Cloyſter of St. *Pantaleon*, till it be ſeen what the Prince of *Orange* will do, and how far it will be neceſſary to provide further for his Security.

Two Days ſince we received an odd Letter from M. *Carr*, (whom your Lordſhip will know by his Name) we know the Man pretty well, and what has been his Trade in the World of late, and particularly even now, ſince our being at *Cologn*; however, we thought it our Duty to communicate it to your Lordſhip, as we do by the incloſed Copy. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{24\ Octob}{3\ Nov:}$ *1673.*

My Lord,

SINCE our laſt, which was of the $\frac{21}{31}$*th Octob.* by the Ordinary, (the Duplicate whereof we take Leave here to incloſe) there happens a very conſiderable Diminution to the preſent Figure of our Aſſembly here, in that the Moſt Chriſtian King is pleaſed to call away the Duke *de Chaulnes*, tho' it be ſaid his Abſence will be but for a ſhort Time. On *Wedneſday* the firſt Current in the Evening, the Duke did communicate to us the Letter which the King his Maſter had writ to him: It was dated at *Verſailles*, the *26th* of *October*, wherein the King let him know, that having called his Eſtates in *Bretagne*, to meet on the *15th* of this *November*, he judges it to be for his Service, to have him (the Duke) to preſide among them as his principal Commiſſioner: The King adds, that the Aſſembly of thoſe Eſtates being to laſt but for ſix Weeks only, he cannot conceive it will be any Prejudice to the Publick Good, or that of his, the King's, own particular Affairs here, that the Duke be from hence abſent for ſo ſhort a while, ſince the King intends he ſhall, ſhortly after that the States are diſmiſſed, return again to his Poſt in this Negotiation. To this the King adds, by way of Advice, that the Duke ſhould bring as few as he can poſſibly of his Equipage along with him, but rather leave them here to expect his Return. However, his Dutcheſs goes along with him, ſome Affairs (it ſeems) upon the Death of her Mother, that happen'd about three Months ago, neceſſarily requiring her Preſence at *Paris*, in order to ſettle them.

This ſudden Departure of the Duke's, after that M. *le Marquis de Lavardin*, his Lieutenant in *Bretagne*, had been called out of *Holland*, and diſpatched ſome Weeks ago to preſide in thoſe Eſtates, makes a great Noiſe here, but the greateſt among thoſe that are leaſt concerned; for, beſides that the Mediators, as well as Meſſieurs *Courtin* and *Barillon*, do aſſure themſelves, the Duke will return hither again; it does not appear, (by what the Mediators are pleaſed to tell us, of a Converſation which they had yeſterday with the *Dutch* Ambaſſadors) that M. *Beverning* having the other Day rendered himſelf to the Inſtances of the Mediators, and laid aſide his Thoughts of going Home (for which he had once fixed *Sunday* laſt to depart hence) for his own private Affairs, as he gave out, does not intend to ſerve himſelf of this Example; but holds his Reſolution of not ſtirring hence, leaſt the diſcontinuing and breaking off this Negotiation ſhould be imputed to him and his Maſters, as the Mediators told him it would, in caſe he went away at a Conjuncture, that could have no other Appearance, but that of executing

cuting their new Treaty with *Spain*, in ceasing to assist further at this Assembly.

But the Mediators say, they found M. *Beverning* and his Collegues, in yesterday's Conversation, as peremptory and unmoveable as ever, in the Matter of not treating, till the Duke of *Lorain* hath Passports granted him for his Ministers to come hither; nor would they hearken to the Offer of any Expedient (as some say they, the Mediators, were ready to offer) in that Affair.

This Elector is still in this City, and still wished and expected from Day to Day to remove out of it, for fear the *Imperialists* do find a Way to make Impressions upon him, to the Disadvantage of the present Alliance; but the *French* Ambassadors are the less anxious at this Time, in that there is a very considerable Body under Messieurs *de Luxembergh* and *d'Humieres*, now assembling at *Maestricht*; but they seem to apprehend, that the Gout hath seized the Prince of *Condé*, that he cannot be (as he intended) at the Head of that Army. His Presence would, without doubt, have given a great Reputation to this Body of Men: However, their very Appearance in this Country, will abundantly confirm and settle it; especially now, at a Time this Chapter is tamper'd with, to disown what their Head, the Elector, hath done, in his Confederations, Armings, and Actions, ever since the Year 1671. as done against their Consent, or at least without their Advice.

As we are writing, we have the Honour of your Lordship's of the 13*th* of *October*, *O. S.* to acknowledge; and therein your Lordship's great Favour, in letting us see his Majesty's most gracious Goodness to us, and his Care, that such an Article about the Fishery be put into our Hands, as hath first passed his Royal Approbation. For, tho' we did conceive ourselves, by the Favour of your Lordship's, sufficiently instructed in several Letters, particularly that of the 15*th* of *September*, what to provide for, and what to beware of, in the wording of that Article: Yet having so much Reason, as we have, to be mistrustful of ourselves, especially in a Matter never essay'd (that we know of) before this Time, to be couched in a Treaty, and yet of infinite Importance to the Honour of the Crown; it is to us a very great Relief and a Joy, that his Majesty hath been graciously pleased to state his own Royal Judgment, and to point out our Duty in those Lines, which secure to his Majesty the perfect Satisfaction due to him, and prevents the Possibility of mistaking on our Side.

As to the Article of the Prince of *Orange*, your Lordship will find, by some of our Letters that were not come to your Hands at the Time your Lordship writ this of the 13*th*, that we did understand our-selves to be, in virtue of your Lordship's of the 22*th* of *September*, at Liberty, to communicate his Majesty's last Condescensions in the Matter of Hereditariness, which concerns the Prince of *Orange*; since we have upon that Confidence endeavoured to close with a Season, that we judged proper to make Use of that Liberty in, for his Majesty's Service.

In this Pacquet goes that canting Letter of M. *Carr*, which should have gone with our last; but we were too much streightned in Time. We are, *&c.*

To

To the Earl of *Arlington.*

Cologn 26 October / 7 Novem. 1673.

My Lord,

OUR last to your Lordship was of the 3*d* Instant by the Ordinary, a Copy of which goes here inclosed; since which, we have had the Honour of your Lordship's of the 17*th*, and are much troubled to find our Letters are so very long in their Passage to your Lordship; we have resolved, as a Remedy in part of that Inconvenience, to send every ten or fourteen Days at furthest, an Express; who, if there be no other Business, shall at least serve to secure the Pacquets we send by the intermediate Ordinary Posts, by carrying doubles of them; according to this Rule, we hope your Lordship will have received by Mr. *Bedford*, who parted hence *Saturday* the 18/28 *th*, our Dispatches of the Day before, together with doubles of our several Letters since that of the 30 Sept. / 10 Octob. by Mr. *Bulstrode*, as your Lordship will please to receive by this Bearer, the Copies of our two last Dispatches of the 21/31 *Octob.* and 24 October / 3 Novem. according to our general Rule this Express should have stood in the Place of our ordinary Pacquet by the Posts of to Morrow, and accordingly should have parted with the Mail that Evening; but we thought it our Duty not to lose a Day, to let his Majesty know the great Distraction we find this Elector and his Ministers in, upon the sudden Approach of the *Imperialists*, and the Siege that is now laid to his Town of *Bonne*: *Montecuculi* having, upon Advice of the Prince of *Orange*'s advancing up beyond this Place, found Means to convey his Infantry by Boats, from as high as *Binghen*, marched at the same Time himself with the Cavalry round on the other side, through the *Wetteraw*; and so having joyned them here at *Bonne*, on *Saturday* he and the Prince of *Orange*, with all their Forces, set down before the Place: Hitherto their Time has been employed in raising their Batteries, which we are told this Morning, are to be four in Number; three on this Side the Water, and all upon the Flat that lies towards this Town, and one on the other Side the River, in the Duke of *Newburgh*'s Country; that they will be this Evening finished; and then the Resolution is, immediately to proceed in their Attacks, which, we are told, are to be three, all of this Side of the Town.

We have seen a Letter this Morning in Prince *William*'s Hands, from Colonel *Arensberg*, who commands in the Town for the Elector of *Cologn*, dated yesterday at four a Clock, *post mer*: which says, the Garrison is in pretty good Heart, and resolved to do well, only he seems to look out for a Succour; and to give small Hopes of being able to make any great Resistance, unless they should certainly see a Force within Distance to relieve them; this Place being taken, it is concluded, the whole Body of the Army will proceed to *Nuys* and *Keisaerwaert*; and at least make themselves Masters of all the Electorate, if not of this Town; which we have Reason to fear they principally aim at: Your Lordship will easily imagine how great an Impression so sudden and unexpected an Alarm must needs make upon the Mind of the Elector; who is otherwise of a very weak and uncertain Complexion. The Truth is, we find the fright is so great upon him, the Succours that should support him so far off, and so unlikely to come up in any Time, that we very much doubt, whether he may not, in a very few Days, be prevailed

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upon to hearken to an Accommodation apart; which is the Thing (as we intimated to your Lordship in some of our last Letters) that the Baron *de Lysola* had been underhand to work upon for some Weeks; and we find the *French* Ambassadors have the same Apprehensions: The Thing is already gone so far, that this very Morning the Chapter had a Meeting, to consider of the Proposals made them by the Baron *de Lysola*, on the Part of the Emperor; and at the same Time the States of the Country, that is, the Counts, Nobles, and Towns within the Electorate, are, on their Part, consulting what is best for them to do, for the preserving the Country from the Ruin and Destruction they see themselves in, in case they persist in the Interest of the *French*, &c. Prince *William* himself, who expresses all possible Zeal and Fidelity to the present Engagements, foresaw the Matter would be pressed so hard in the Chapter, that he thought it necessary, and accordingly declared to the *French* Ambassadors before us, that he would take upon him now in this Meeting, to offer to the Chapter, that instead of closing with the Proposals made by M. *de Lysola*, (which are, for the Elector to recal his Troops from the Service of *France*, to quit his Alliances with Strangers, not to suffer any *French* Troops in any of his Places, to oblige himself not to take Part against the Emperor, or the King of *Spain*; and for Caution of these Conditions, to put certain of these Towns into the Emperor's Hands, till the Peace be made:) Instead of these, he thought it necessary, for the managing the Humours and Inclinations of his Friends in the Chapter, and for the taking away all Shew of Partiality, that those that are ill affected in that Body would be apt to charge him with, to propose to the Chapter, that it might be answered to the Baron *de Lysola*, that they did not know, nor did they apprehend, that the Elector was in any Terms of Hostility or Enmity against the Emperor, and consequently, they could not think fit any Proposition should be made to him, for an Accommodation with the Emperor; seeing that would argue, that he were now in Enmity with him. That if there were any Misunderstanding between the Elector and the Emperor, they were very ready (if the Emperor should so desire) to interpose their best Offices, to bring Things to an *eclairciffement*, in order to clear all Mistakes that might be between them: That they would be willing it might be agreed, the Elector should recal his Troops from serving against the Emperor, and oblige himself henceforth not to suffer them to be employ'd against the Emperor, or against the King of *Spain*; that no Part of the *French* Troops should remain in any of his Garrisons; that he and his Country would enter into a perfect Neutrality, as to the Emperor and the King of *Spain*; provided, on the other Hand, that the Emperor would at the same Time withdraw his Troops out of the Electorate, leave him his Country free, and discharged of all Contributions, Quarterings, *&c.* and finally, leave him at Liberty to prosecute the War against the *Hollanders*, against whom alone, it was intended.

This, Prince *William* said, he foresaw would never be accepted of by the Emperor, so as nothing would be altered by the Offer, to the State and Conditions the Elector and the Electorate at present stands towards *France*; and yet, on the other Side, the Offer being fair and reasonable in itself, the rejecting of it by the *Imperialists*, would certainly prejudice the Chapter extreamly against them, and in proportion gain upon them, in Favour of the present Alliance: So, as he went on upon his own Head, as what he declared was, in his Opinion, for the Advantage of the common Cause, to make the Proposition in the Cha-

pter: And now this Evening he tells us, that having made it, it had the Effect he proposed; that the Chapter did unanimously give into it, and agreed that should be the Answer they would give to M. *de Lysola*'s Paper.

He tells us further, they had before them a Draught of a Letter, the Baron *de Lysola* had offered to write along with the Deputies, the Chapter are thinking to send to M. *de Montecuculi*, upon this Occasion; in which the Baron had taken upon him, by way of Preface, to say, as if the Chapter did disown the several Treaties the Elector had made for these last 15 Years, with divers Foreign Princes, and especially this late one with the King of *France*; which the Chapter immediately excepted against, as a Thing they would not allow to be said of them; that tho' they did confess not to have consented to several of those Treaties, because indeed their Councils had never been asked in them; yet that they could not say they did disown them, and particularly not this last; so as they did unanimously reject the Draught, and ordered it to be conveyed by the same Hand back to the Baron. In this State Prince *William* left that Matter in the Chapter, which, as he says, is as well as could be wished; and he doubts not, but that at that Lock he shall be able to hold the Thing, as long as he has a Mind; provided there be but some Appearance of Succours to relieve *Bonne*, and put the Elector a little in Heart again. So as, upon the whole Matter, unless some speedy Care be taken forthwith to draw a considerable Body together, capable to restore Matters here in the Electorate, we are very much afraid what Resolutions the Elector may be prevailed upon to take: Which we have taken upon us to represent, with all the Earnestness we could, to the *French* Ambassadors, that is, Messieurs *Courtin* and *Barillon*, for M. *de Chaulnes* parted hence this Morning, on his Way towards *Paris*, and so for *Bretagne*; whither, we told your Lordship in our last, he was called by the King, to hold the States. The Ambassadors seem sufficiently convinced of the Consequence of any such Change in the Elector, and therefore have dispatched many Expresses, as well to M. *de Turenne*, as to M. *de Luxemburgh*, to acquaint them with the State of Things; and that nothing but an immediate Succour for the Relief of *Bonne*, can secure us against a false Step from the Elector. The last was to begin his March as this Day, from about *Nimeguen* upwards towards *Nuys*, with near 15000 Horse and Foot: As for M. *de Turenne*, the Ambassadors have had no Account at all of him, these six or eight Days; the last they had was, as if he should have passed the *Rhine* at *Spire* the 27*th*; what Rout he has taken since, or where he now is, is not known.

We have had this Afternoon with us Count *Tott*, to communicate to us, in wonderful Hast, a new Letter, they, the Mediators, are sending to the *Dutch* Ambassadors; pressing them in the first Place to agree, they and their Allies, to proceed in the Negotiation, in the same Way it hath hitherto been in; to call to them for an Answer to their, the Mediators, late Project, as they call it; upon which they took Occasion in this Paper to enlarge in certain Points, and lastly, demanding their Consent to a Suspension of Arms. This, he said, he came only to acquaint us with, as in Conversation, and by way of Discourse, and not in Form. We answered, we could say but what we had said before upon Occasion of their former Project, that they, the Mediators, were not to believe or expect the King our Master, after the great Condescensions he had already so generously and frankly made in his Demands, had any Thing more left in his Hand that could possibly be abated;

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only we have put him in Mind of the last Abatement the King had been pleased to intimate to them, in the Point of the Hereditariness in the Article of the Prince of *Orange*, which we desired they would, upon this Occasion, take Notice of a little more expresly to the *Dutch* Ambassadors; but that, after that, they, the Mediators, would please to remember, there was nothing further remaining, in which any Abatement possible could be expected from his Majesty; and when we had said that, we said, we must leave it to them to govern their own Business as they should think fit; we were not to take any Cognizance of it, as we then declared we would know nothing of it; and so he left us, saying, they were confident, what they were now going to offer to the *Dutch* Ambassadors, would never be accepted of by them; but that, however, the Aim they had particularly in it was, upon the Refusal on the Part of *Holland*, to be able to inflame yet higher their Dyet at Home, in the Resolutions they are now taking for Action, and to engage the Elector of *Brandenburgh*, which, he said, they doubted not but to do with much Advantage.

As we were closing this Dispatch, the *French* Ambassadors send us Word, they have this Evening received Advice from the Mareschal *de Humieres*, that he is advanced as far as *Leichneich*, three Hours from hence, and within two Hours of *Bonne*, with a Body of 9000 Horse, being Part of the Prince of *Condé*'s Troops; and which were at first design'd as a Part of that Army, that was to gather in the Bottom of the Electorate, under M. *de Luxemburgh*; but that having understood by the *French* Ambassadors Pacquets, which he met with on his Way, of the Danger *Bonne* was in from the Prince of *Orange*'s Troops, &c. he had, as of himself, and even contrary to his particular Orders, turned short out of his Way at *Juliers*, to see what could be done for its Relief: It is feared, he must be forced (considering the Inequality of Numbers, that his Foot are none of them come up to him, and that his Men are extreamly harrassed, by the great Diligence he has made) to draw downwards, in case the Enemy presses upon him towards *Nuys*, where M. *de Luxemburgh* designs to assemble the Body he is to command. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{\text{28 Octob.}}{\text{7 Nov.}}$ 1673.

My Lord,

Having taken Leave to dispatch Mr. *Fairfax* Express this Morning, with an Account of what hath happened here of any kind since ours by the last Ordinary: We have no more than to give your Lordship this Account of it, together with a Duplicate of the Letter he carries, tho' we doubt not, by the Blessing of God, but the Original will have prevented us in that Care, many Days before this can arrive, as the Uncertainty of the Passage is at this Time. We are, &c.

To the Earl of *Arlington*.

Cologn 31 October / 10 Novem. 1673.

My Lord,

IN our last that we had the Honour to write to your Lordship, which was of 28 October / 7 Novem. by Mr. *Fairfax*, a Duplicate whereof went also with the Ordinary of the same Day; we took leave to acquaint your Lordship, of a Visit that C. *Tott* was pleased to give us, designing no more in it, as he then said, than by Way of a private Conversation, to tell us of a Project, he and his Collegues were then upon, by Way of Letters to the *Dutch* Ambassadors, in Order to keep this Negotiation on Foot, if it may be; and if not, to throw the wrong still more notoriously upon the *Dutch*; which he (as he said) look'd upon as the much more probable Issue of their Project.

Yesterday he and his Collegues demanded Audience of us, and had it in Form; their Business, as they said, was, to communicate to us their Project, as they had now actually given it into the *Dutch* Ambassadors, by Way of a Letter; a Copy whereof goes herewith inclosed, as also a Copy of that former Letter of theirs, which this last refers to, that your Lordship may be spared the Trouble of searching for a Paper so little significant, and so long since transmitted among other Things to your Lordship.

They were pleased to tell us, that their main Drift in this Letter is, to give Occasion to the *Dutch* Ambassadors to answer it in such a Manner, as may keep the Negotiation still on Foot; but they added withal, they had little Hopes of so favourable an Effect; for their Letter consisting but of two Points, the one, that they, the *Dutch* Ambassadors, would be pleased to continue the Treaty upon this Project, as calculated for all the Interests and Parties concerned, they having couched the Affair of *Lorain* in a separate Letter by it self, but delivered it in at the same Time, with this inclosed; the other Point is, that the States will agree to a general Cessation of Arms for some while: They, the *Dutch* Ambassadors, have already answered them, the Mediators, peremptorily by Word of Mouth, that to the first Point, they could not say any Thing till the *Imperial* and *Spanish* Ministers did appear, and were admitted as Principals in the Treaty, and that Passports were accorded to the Duke of *Lorain*: And to the Point of Cessation, tho' the States were not averse from consenting to it, yet they could say nothing to it, till all their Allies were admitted Principals to determine of it, as well as they, in the Treaty.

Having cast our Eye upon the Letter which the Mediators did give us part of, we took leave to observe to them, that we had formerly taken the Liberty to protest against a former Project of theirs, as casting a Prejudice upon our Pretensions, and with a Protestation to adhere to the *Ultimatum* we had then given in, on the Behalf, and in the Name of the King our Master; and we added, that upon this new Project, we had very just Cause to renew and to reinforce our Protestations, and we desired them to excuse us, if we told them very plainly, that the Facility and Moderation insinuated in their Letter, as a Thing that they, the Mediators, promised to themselves from us, was a Thing that we must absolutely disown, and could never be brought to in the least, (we having already twice told them, how his Majesty would be willing

to sacrifice the Circumstance of Hereditariness, which concerns the Prince of *Orange*, if the Peace should ever come to turn upon that Point) which we desired them to let the *Dutch* know in that full Manner, as they, the Mediators, should judge to be most conducing to the Peace; at least to their Conviction of his Majesty's great Equity and Generosity: We thought it our Duty to repeat this Abatement to them again upon this Occasion, but withal to assure them, it will prove a very great Mistake in the End, if it should be expected or hoped, that his Majesty will abate in, or recede from any Circumstance in the rest of his principal Points: We took the Liberty to tell their Excellencies likewise, that tho' we ought to have all Submissions for their Manner of Proceeding and Method in the Conduct of this Negotiation, yet that we could not by any Means comprehend, that their making Shew of hoping for further Facilities and Moderation on our Part, could have any good Effect or Influence upon the *Dutch*, who now enjoy themselves more than ever in their Obstinacy; not only from the Noise of their Gains and their Numbers at this present before *Bonne*, but from the groundless and shameless Confidences they give out to have, of great Disorder in his Majesty's Affairs at Home, upon the Meeting of the Parliament.

The Answer of the Mediators was, that they pretended not, by the Undertakings in their Letter, to oblige us to any Thing; but that we should be entirely at Liberty, without Prejudice from what they now write, to insist upon our *Ultimatum* with the utmost Rigour; their Design being no more than a Formality or Intercourse with the *Dutch* Ambassadors, to keep the Treaty from being discontinued, and from ceasing utterly in all the Parts of their Negotiation.

We took Occasion further to observe to their Excellencies, how little Grounds we have to hope for Reason from the *Dutch* at this Time, since they have of late much more openly and uningenuously than at any Time heretofore disputed with their Excellencies, (as themselves had been pleased to let fall to us) as well as with others, upon the Right of the Flag; saying, they will accord nothing to us, *ex debito*, as an ancient Right of the Crown of *England*, tho' they shall not be averse from some Complaisance with us in the Point, for Accommodation and Peace Sake.

Here the Mediators seemed to soften and excuse what the *Dutch* Ambassadors had so often given out; saying, the *Dutch* would be willing to acknowledge his Majesty's Right in the general, but would stick upon the Point of having a whole Fleet to strike to any single Vessel carrying the King's Colours: however, that they cannot acknowledge this Point to be an ancient Right, tho' they are willing to stipulate it shall be observed for the future; and this was the Sense we found the Mediators would have put upon what had fallen from M. *Beverning* some Days ago; and which we had laid hold on with that Concern we owe to so important a Point.

This gave us Cause to say, that his Majesty was not so rigid to the Words he had dictated to us about the Flag, but that he would admit of any manner of expressing his Sense; provided that, *First*, His ancient and uncontroverted Right be sufficiently acknowledged. *Secondly*, That the two Points, upon which the *Dutch* had raised a *Chicane*, immediately before this War, *viz.* the one touching a whole Fleet not striking to a single Vessel; the other, touching those Places and Limits, within which the *Dutch* are not to dispute the paying of this Respect, may be made so express and clear by this Treaty, as not to yield any Colour of Cavil for the future.

This

THIS being the *Third* Time, in which we have endeavoured to prepare the Mediators, to give Way to that Form of an Article, which your Lordship hath been pleased to send us, we could not think it now a Season to press it further: The Mediators declaring to us, they are not at this Time upon the Subject Matter of the Treaty, or any Part of it; they are now, they say, upon the Formality only, whether there shall be any Negotiation continued or not; but we have our Article in a Readiness, as soon as ever they take in Hand any Point that concerns either his Majesty, or any of his Allies, and will be sure to put them in Possession of it, according to Form.

WE have nothing to add to the Account we gave your Lordship in our last of this Elector, only that he is still in this City, and the *Imperialists*, as well as others, have all the Access they desire to him: We do not find that the Chapter (tho' there be some among them that are very willing to load him with the Envy of this War) have made any publick Act, or Declaration, or Address to his Prejudice; only they have in their Conversations with Baron *de Lysola* said, they had not been made acquainted with the Resolutions and Engagements of their Elector, relating to this War; and were not therefore (as they hoped) in Justice to suffer in the ill Consequences of them: But the States of the Electorate have gone further, for they have directed their Deputation towards M. *de Montecuculi* to say, that their Elector hath entered into this War, not only without their Consent, but also against their Protestation, and contrary to their Capitulation with him; whereby they had, upon his Advancement to this See, tied him not to enter into any Confederations for a War, without their Consent and Concurrence. This Monsieur *de Lysola* lays hold of, and he labours to draw from the States a Declaration in Form to this Effect, in Order to make use of it at the Dyet at *Ratisbone*, and the Court at *Vienna*.

WE took leave to tell your Lordship in our last, that the Prince of *Orange*, and M. *de Montecuculi*, had sat down on *Saturday* before *Bonne*; and that three Batteries on this Side, and a fourth on the other Side of the *Rhine*, had been raised, and were finished on *Monday*. But the gross Artillery (which came not as fast as the *Imperial* Foot did, down the River) began not to play till yesterday Morning; which they did very thick all Day, and have continued so all this Forenoon. M. *de Humieres* detach'd 300 Horse to attempt going in, 100 of them got in on *Tuesday* Night, under St. *Sylvestre*, a *French* Colonel with eight Officers, and they forthwith fell to their Musquets. Yet it is not probable the Town can hold out above a Day or two longer, within which Time it is not to be hoped, that either M. *de Turenne*, or M. *de Luxemburgh*, can come to its Succour; there being no Certainty that Monsieur *de Turenne* is yet passed the *Moselle*, and Monsieur *de Luxemburgh* is not at this Time nearer than *Rhineberg*: It is feared, that besides the Weakness of the Fortifications at *Bonne*, their Ammunition (so little were they provided) begins to fail them.

OUR next Concern is for this City; for tho' the Generality be well inclined, and find it their Interest to preserve the Neutrality, yet the *Imperialists* do not want a Party here that favour them; besides the Regiment that now serves within the Walls. However, the *French* Ambassadors assuring themselves and others, that within 8 or 10 Days there will be assembled 50000 *French* in this Country; we hope these Burghers will be so cautious as to keep themselves strictly within the Terms of their Neutrality, as the only Means for them to preserve themselves from becoming the Prey of both Parties. We are, *&c.*

To

To the Earl of *Arlington.*

Cologn $\frac{4}{14}$*th Novem.* 1673.

My Lord,

THE last we took leave to trouble your Lordship with, was of the $\frac{31\ Octob.}{10\ Novem.}$ by the Ordinary of that Day, with an Account of the general Project (as it is called) given in a Day or two before, by the Mediators to the *Dutch* Ambassadors; as also of a separate Letter written by the Mediators the Day after, particularly in the Business of *Lorain*, as the Point at which the *Dutch* had it seems answered, that all the other Matters must inevitably stick, and in which they were therefore to be first satisfied: To this last Letter, they have yet received no Answer from the *Dutch*, and 'tis supposed none will be suddenly given; but that the Confederates will probably let the whole Negotiation rest upon that Difficulty, so long as they find themselves thus getting Ground by their Arms, without hearkning to any Temperament in the Point, till obliged to it by some considerable Crisis in Affairs to our Advantage.

We told your Lordship in our last, the Condition we apprehended the Town of *Bonne* was in; and that it could not well be expected it should hold out above a Day or two longer; and in Truth, all Things considered, the Slightness of the Place itself, the Weakness of the Garrison, the Want of Provisions of most Kinds within, and the little Hopes that appeared of any Relief in Time; it is thought to have done very much, to have been able to hold out 10 Days, against so considerable a Force as was brought before it: *Sunday* in the Afternoon, it was surrendered to M. *de Montecuculi*, (for they had absolutely refused ever to yield to the Prince of *Orange*) upon very fair Conditions, to march out Bag and Baggage, Drums beating, and Colours flying, and to have safe Conduct to *Nuys*; which was executed accordingly the next Day. It's said, the Garrison were found to be of about 800 Foot, and 200 Horse; and 'tis supposed there may be of kill'd and wounded 100, or 150, altho' they of the Place will not own to have lost above 14 or 16 Persons in the whole Time. On the other Side, it is certain the Besiegers, tho' they do not own it, lost Abundance of Men, and especially on the Prince of *Orange*'s Side; who, it seems, had the only real Attack that was intended to manage, the other two being, as it appears since, only to alarm and amuse the Place. It is said, at the first Night it cost the *Hollanders* 200 Men; and the taking of a little Demilune, which lies before the Gate that leads to this Town, cost them on *Friday* Night full twice that Number: That Demilune being taken, made them Masters of the Gate, so as to be able to enter the Town almost at their Pleasure; and yet they within kept there all *Saturday*, and part of *Sunday*, and (as the Count *de Grace* is said to have answered the Prince of *Orange*) would have yet cost them dear, had all the Garrison been of the same Resolution he and his Men were of. In all, the Confederates confess their Loss to have been 800 Men, among whom several Officers of good Note, but none of Quality is named, that we yet hear of, besides the Count *de Coningsmark*, the elder Brother of that Family, who had put himself into the Service of the States, at the Beginning of this War; as the younger is in that of the *French*.

What

WHAT the Confederates will do next is not certain, 3 or 4 Days it's believed they may rest their Men where they are; and some think from thence they will advance towards *Nuys* or *Keisaerwaert*, and so endeavour to make themselves Masters of the whole Electorate; some suspect they may have an Eye upon *Dusseldorp*, as a Passage of Importance, and being on the other Side of the River, would be of great Advantage to them: It's true, such a Violence as that committed upon a Prince of the Empire, who is in perfect Neutrality, would make much Noise in the Empire; but the *Imperialists* in such a Case would not want a Pretext of another Nature to justify the Proceeding; which is, that the Duke of *Newburgh* continues to oppose the Execution of a Sentence, lately given in the *Aulick* Council (as 'tis called) at *Vienna*, in Favour of the States of *Juliers*, against him as their Prince: But this is but a Conjecture. Prince *William* tells us, he hears it is resolved by the Confederates, that if they can bring this Elector to a separate Accommodation, then the Army shall immediately quit these Countries, and march back towards *Lorain* and *Alsace* Side; if not, to advance, and having made themselves Masters of the rest of the Places of the Electorate, eat upon these Countries as long as they will last, and then pass over into *Westphalia*, and quarter there. In two or three Days we shall see what they intend next.

IN the mean time, we find they take themselves to be Masters enough of the Campaign, to do what they please for this whole Winter, being, as is generally believed, not less than 45000 effective Men, in these two Armies with *Montecuculi* and the Prince of *Orange*, besides a Body of 25000 that are advancing, as we are told, from *Holland* towards the *Meuse*, under the Count *Waldeck*; of which six are of the Count *de Monterey*'s Men, and are design'd to watch M. *de Luxemburgh*, or, if need be, at any time to reinforce this joint Army under *Montecuculi*.

YOUR Lordship will easily imagine how far these Appearances are able to shake a firmer Complexion than that of this Elector: Hitherto he has held out pretty well; but *Bonne* being taken, and the Confederates being now to demand a full and speedy Answer from him, what he will do, whether he will hearken to a separate Accommodation for himself and his Countries, or to stand it out in the Alliance he is in, we cannot but much doubt what will be the Issue: For, besides his natural Weakness and Want of Resolution, equal to so great a Case, we see all Hopes of Support and Relief so distant, so uncertain; and, on the other Hand, the States of the Electorate, who are otherwise threatned with the total Ruin and Desolation of their Country, are like to press so very hard upon him, that we can scarce hope he will be able to resist it. We contribute all we can to keep him in Heart, particularly by pressing the *French* Ambassadors to sollicit, by all Ways possible, a speedy Succour for these Countries, as a Matter which we apprehend does infinitely concern the common Cause.

OF M. *de Turenne* is no certain News, all we can learn of the *French* Ambassadors is, that they have Letters of the *6th* Instant, that he was then near *Creutnach*, on his March towards the *Moselle*; but without further Particulars of any kind: As to M. *de Luxemburgh*, his Men began to draw from all Parts towards *Rhinberg*, about the 3*d* or 4*th* Instant; but he himself could not leave *Utrecht*, till he were relieved by the Marshal *d'Humieres*, who passed *Sckenkesckans* the 8*th*, and might be at *Utrecht* the 10*th*.

M. *d'Odyike* being at Dinner with us two Days ago, among other Things told us, in 2 or 3 Days we should hear of a very considerable new

new Alliance they had made in these Parts. More than that we could not get out of him; but he assured us, in a few Days it would appear openly. We have been thinking with the *French* Ambassadors, who this new Ally should be, we are not willing to suspect the Elector of *Brandenburgh*, but besides that, we hear nothing yet of any great Disposition in the Elector, to favour that Project the *Swedes* seemed to have on Foot, of gathering a third Party to countenance the Mediation; and that we observe, by M. *Schwerin*, his Minister here, that the preventing of the Confederates in these Parts, begins to give that Court some Care for their Countries of *Cleve*, *Mark*, and *Ravensbergh*; besides this, it has been observed, that one Major General *Eller*, a principal Officer in the Elector's Service, and his Governor at *Mindon*, is passed two Days since to the Camp at *Bonne*; pretending, as M. *Schwerin* tells the *French* Ambassadors, only Matter of Curiosity, to see the Siege, and what passes in it; which looks like a very poor Pretence, we think, for an Officer of that Note, at this Season, to leave his Charge, and come so far out of his Way, to see so inconsiderable an Action as the taking of *Bonne*. The *French* Ambassadors seem rather to have some Jealousy of *Denmark*, or of the Duke of *Zell*: But all is but an imperfect Conjecture. We shall try to learn what further we can of it by the next.

Having received no Letters from *England*, since those of the 27*th* past, we have nothing further to trouble your Lordship with; only to add the double of our last, with the two Papers that attended it: We are going to dine with the *French* Ambassadors, where we shall meet Prince *William* of *Furstemburgh*; and if we hear any Thing further worth your Lordship's Trouble, we shall presume to add it in two Lines of a Letter apart, not venturing to keep this open so long. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{7}{17}$*th Nov.* 1673.

My Lord,

SINCE our last that we troubled your Lordship withal, which was of the $\frac{4}{14}$*th* by the Ordinary, a Copy whereof we take Leave here to inclose; we have the Honour of your Lordship's of the 20*th* of *October*, *O. S.* to acknowledge; having been, to our very great Affliction, full 18 Days between the Date of your Lordship's preceding Letter, and our receiving of this last, without any News out of *England*: Besides that, there are three Ordinaries in Arrear at this Time, which we might have reckoned upon to come to our Hands, as soon as this does; but for the Disfavour of the Wind at Sea, and the Passage which we find (since the declaring of the War) to be always uncertain, and now and then to be interrupted on this Side the Water: And it adds very much to our Grief, that we find, by Advices from *Newport*, that on the 23*d* past, *O. S.* there were no less than 4 Mails, (then at the Water-side waiting for Passage) in each of which we had Letters. For we shall, with your Lordship's Favour, beg Leave so far to excuse ourselves to your Lordship, as to say, that we have not fail'd one Ordinary, that is, any one *Tuesday* or *Friday*, wherein we have not addressed our Duties to your Lordship, since our coming upon this Place; and your Lordship will judge our Anxiety to be more than ordinary at this Time,

 because

because of the Reports which are brought hither, and spread with all Diligence and Confidence possible, touching our Divisions at Home. These Insinuations and Surmises being, in this Conjuncture, a considerable Addition (if heeded to) to those Discouragements and Difficulties which invite this Elector (and his Example will very much guide the Bishop of *Munster*) to hearken to the Means proposed to them, for saving themselves by a separate Accommodation: Our Master being (as 'tis pretended) very movingly invited by the *Dutch*, and, which is more, very powerfully influenc'd by the Inclinations of his Parliament, to leave the *French*, and provide for himself in the same Manner.

In the last, we gave your Lordship an Account of the yielding up of *Bonne*, after 10 Days Resistance; which, tho' it was attack'd principally, not to say only, by the Prince of *Orange* his Forces, yet it was surrendred, contrary to some Expectations, into the Hands of M. *de Montecuculi*; and the Marquis *de Grana* is since made Governor of it; the Prince of *Orange*'s Men having had no other Benefit from this Conquest, than the Liberty of rifling the Elector's House in that Town.

Yesterday the Army marched thence towards *Kerpen*, but intended to take in *Broell* by the way, which, we doubt not, is done e're this, tho' we have not any Account of Particulars; the Resistance which the Castle might possibly make for 2 or 3 Days, till the great Guns should come up against it, being to little Purpose; the Expectation of all Men now is, whether these Armies will lay Siege to *Nuys*, or not; and it is the prevailing Opinion, that they are not like to do it, in Regard they have suffer'd the Garrison of *Bonne* to march thither; and that M. *de Luxemburgh* is certainly come up to *Rhinebergh*, with 36 Battalions of very good Foot, besides the considerable Body of 10000 *French* Horse, which now lies in a manner overlooking that Garrison; not to mention M. *de Turenne*, who is no further off than the *Moselle* Side, about the middle way between *Triers* and *Coblents*; so that, it is conjectured, the *Imperialists* will content themselves to stand possessed of *Andernach*, *Lintz*, *Bonne*, and *Zous*, upon the *Rhine*; as also of *Boel*, *Lechnick*, and *Kerpen* in the Upland, and eat up this Electorate (as they now do) at their Ease.

This not being like to meet with any sudden Controul, (for we hear nothing of M. *de Turenne*'s March this Side the *Moselle*) puts this Elector and his Ministers more and more upon the Thoughts of renouncing his Alliance with *France*, and shifting for himself as well as he may by a separate Accommodation: This is the more visible to us, in that we have been, upon *Tuesday*, *Wednesday*, and yesterday, Witnesses to a great deal of Discourse, and to some Heats and Reproaches between Prince *William* of *Furstembergh* and the *French* Ambassadors: We have heard Prince *William*, more than once, charging the *French* Ministry with having neglected this Elector all along this War; and particularly, with having suffered his whole Country to be over-run and possessed by the Enemy, as now it is: M. *de Turenne* steering such a Course, and at that Distance all this while, as if the saving of this Ally had been no Part of his Concern, or of his Instructions.

Prince *William* hath gone further with us, and in Confidence shewed us a Letter, which M. *de Louvoy* had written to him the 28*th* past, which we could not but be sorry to see, in Regard that Letter did perfectly despise Prince *William*'s Advices, concerning the Motions and the Designs of the *Imperial* Army; as if those Advices had been the Dictates of a great Fear, and yet of a greater Want of Judgment, whereas they prove to be too prophetical in the Event; besides that, it was written

written in ſuch a Stile and Language, as that we did not underſtand, how the one could well give it, and the other take it; but that he profeſſed, he hath been long uſed to receive Mortifications of this Kind, at the Hands of that Miniſter. This he left with us as a great Secret, and we beſeech your Lordſhip to uſe it accordingly; becauſe it appears that he has placed his Hopes and Fortunes wholly upon *France*, and that it may be a Prejudice to him, if this ſhould come round.

We have obſerved the main Strength of that Defence, which the *French* Ambaſſadors make againſt Prince *William*'s reproaching, to conſiſt in Saying, that Meſſieurs *de Turenne* and *Luxemburgh* are coming towards us as faſt as they can; and that there will be 55000 effective Men, very ſuddenly in this Country; a Force ſufficient (as they ſay) to ballance all that which the Confederates pretend to make againſt them: And they add, that there cannot be a more pregnant Evidence of the Moſt Chriſtian King's Care and Concern for the Elector, than that he forſakes all his Conqueſts upon the Matter in the united Provinces, in order to make up an Army ſufficient to relieve him.

But we could never perceive their Excellencies to give any Reaſon, why M. *de Turenne* comes on no faſter; nor any Account how it is come to paſs, that the *Imperial* Army hath thus far got the ſtart of him; nor indeed are we able, with all the little Reflexion we can make upon that Conduct, to attribute it to any Thing, but either that he finds not his Troops equal to thoſe of the *Imperial* Army, (which the greater Part that here pretend to know both Armies, are confident enough to give out) or elſe that M. *de Turenne* having (as ſome while ſince we had the Honour to intimate to your Lordſhip) ſtrict Orders from Court, to be ſure to ſtand between the *Imperialiſts* and the Countries of *Lorain* and *Alſatia*, and to cover them, whatſoever became of the *Rhine* Side, from becoming Winter Quarters to the Enemy: M. *de Montecuculi* made ſo many falſe Marches that Way, and ſometimes alſo toward *Treves*, in Order to beſiege it, as was once given out, and really believed at the Court of *France*; that he gain'd Time enough to poſſeſs himſelf of the *Rhine* Side, while the *French* Army marched backwards and forwards under theſe Amuſements, and that no Body did believe it was poſſible for him to march his Army (as he did) through the *Speſſart*, whereby he gained directly to *Franckfort*, and ſo to *Mayence*, and hither, by an eaſy Conveyance for his Foot by Water: But we find the *French* Ambaſſadors avoiding, upon all Occaſions, to hear any Diſcourſe or Opinion given upon this Subject; covering all (as well they may) with the great Abilities of M. *de Turenne*, and the almoſt Impoſſibility of his doing any Thing that were not ſtill for the beſt in the End.

This we take the Liberty to mention to your Lordſhip, becauſe that M. *de Turenne*'s Conduct ſtumbles our two Allies here, as thinking themſelves and their Countries to have been ſacrificed in this Point, to the Safety and Protection of *Lorain*, *Alſatia*, and the Frontiers of *France*.

When the *French* Ambaſſadors do tell Prince *William*, that their Maſter is at the great Charge of Thirty two Thouſand Crowns *per* Month in Subſidies (which have been hitherto conſtantly paid) to this Elector; the Prince briskly replies, that if the Elector might come to a Liquidation, and an Account with the *French* upon that Point, it would appear, they have drawn ſo much of Contribution out of his Country of *Liege*, and given ſo much of Damage to his Subjects there, and other where; that, upon the Ballance of the Account, it would

 appear,

appear, the *French* Subsidies have been paid him out of his own Revenues; and that there would be more in Arrear to the Elector at the Foot of such an Account, than can be pretended to have been paid him by Way of Subsidy.

THE *French* Ambassadors finding the Bishop of *Stratsburgh* very uneasy at *Keyserwaert*, where he now is; and, as they say, declaring to Prince *William* in his Letters, a great Desire to come to a separate Accommodation; and finding this Elector not only very timerous in his own Complexion, but in the Hands of such Ministers and Servants, as may be conquer'd (Prince *William* only excepted) with low Ends, and little Temptations; do judge it to be in a Manner impossible to keep this Elector from making his Peace separately with the *Imperialists*, unless he may be perswaded to remove himself speedily out of this City; for besides that they, the *French* Ambassadors, and we, have been hitherto refused the Liberty of giving him any Visit, it is certain, that M. *de Lysola* has as easy a Conveyance as himself can wish, of all Addresses and Proposals to him on that Side; besides that, it is credibly reported, M. *de Montecuculi* intends to visit him in Person, and to offer at the Execution of the Commission, (which, as it is given out, he hath from the Emperor) to treat and conclude all Affairs with the Elector.

THE *French* Ambassadors do further observe, that their Chapter does press, that their Offices and Mediation with the *Imperialists* may be accepted of; and the States of the Electorate are more than importunate in their Protestations against the Elector and his Proceedings: So that, upon the whole Matter, the *French* Ambassadors do complain, they cannot look upon their Affair with the Elector in any Safety, unless he resolve to leave this Place; they have mentioned *Maestricht*, as a Place safe and proper for his Retreat. To this Prince *William* answers, that it is an unreasonable Thing to expect the Elector should not hearken to an Accommodation, provided it be such a one as shall not violate the present Treaty he is engag'd in to the two Kings, since he hath not a Foot of Land that he is Master of, in his own Electorate, nor a Penny of Money to buy him Bread, but what Prince *William* supplies him with; much less hath he wherewithal to pay the Troops in his Service, or to provide for the Defence or Recovery of his Estates.

WE have still observed Prince *William*, to press earnestly for a present Supply of Money, in all his Discourses with the *French* Ambassadors, as acknowledging that he had made some late Addresses to the *French* Court by the Order and in the Name of the Elector; wherein he doth propose, that if the Most Christian King do expect that he (their Elector) shall still refuse the Accommodation offer'd him, he must have three Things forthwith granted and confirm'd to him by a new Treaty; The *first* is, An Allowance of 15000 Crowns *per* Month, for the Support of his Person during this Distress, in which he doth not, nor cannot draw any Supply from his own Estates: The *second* Thing is, The *French* Armies shall forthwith Attempt the Recovering of *Bonne*, and resettle him in it: The *third* Thing is, That besides the 32000 Crowns *per* Month now paid him, the King would make an additional Supply, proportionable to the present Necessities the Elector is under, in order to recover this, and to defend his other Countries by Troops and Garrisons.

THIS is the Overture the Elector hath made since his coming into these Streights, to the Most Christian King: There is another Overture, which the Chapter hath laid before the Elector to deliberate upon, promising their Offices with the *Imperial* Ministers, if the Elector shall please

please to approve of their Propositions, which are to this Effect: *First*, That the Elector shall recal all his Troops, that are now in the *French* Service, and suffer no *French* to be in his Garrisons or Countries. *Secondly*, That he shall not act any Thing against the Emperor, but suffer him to put Garrisons of his own, into some of the Elector's Places: only those Garrisons to make Oath to the Elector, they will observe a Neutrality as to the Emperor and *France*. *Thirdly*, That there shall be a Cessation of Arms between him and the *Dutch*, only the Places that he is possessed of in *Over-Yssell*, shall remain as they now stand garrison'd in the Elector's Hands, *in deposito*, till a Peace be made between the *Dutch* and him, by a particular Mediation, and afterwards by an Inclusion in the general Peace.

These Propositions lying before the Elector, he sent Prince *William* on *Wednesday*, to desire the Opinion and Advices of the Mediators upon them: The Mediators Answer was to this Effect, that having consider'd their Instructions, they did not find they had Power to give any Opinion upon separate Treaties, whereto they were no Parties; that as to a Cessation of Arms, which is the last Article, as they had had Instructions to demand it from the Elector, as well as from the rest of the Parties, so they would be glad to promote it, and to have it enlarged from a Particular one in his Case, to a general one between all the Parties in War; and that in Order thereto, they would take this Occasion, and forthwith apply themselves to the several Parties, and endeavour to make that Cessation general, which, in this Proposal, was intended with one Party only, and for the Elector's Countries, and no other.

Having thus answered Prince *William*, they, the Mediators, applied themselves forthwith to the *French* Ambassadors, for their Consent to a general Cessation: The *French* Ambassadors answered, they could do nothing till they had first spoken with us: The Mediators having mentioned to them the Declaration we had made about a Month ago, (in Virtue of your Lordship's Letter of the 2*d* of *October*) that the King our Master would consent to a Cessation, provided it were consistent with the Affairs of *France*, and therefore that his Majesty referr'd himself to the Most Christian King for that Affair; and that he consenting, his Majesty did the like.

The *French* Ambassadors taking the Pains to speak with us upon this Errand, were pleased to produce an Original Letter from the King their Master of the 9*th* Current, and to read to us several Clauses of Direction to them upon that Subject: *First*, The King took notice of the Communication we had given them of his Majesty's Willingness to consent to a Cessation, provided the Most Christian King were of the same Judgment: and then, *Secondly*, directed them, the Ambassadors, to declare his Consent likewise, provided the Cessation had no further Day than the last of *April*; and wishing them to value it to the Mediators as a pure Deference that the King hath for their Judgments, he having no greater Motive to consent to a Cessation, than that their Master and they did so earnestly desire it; but he charged them withall, before he should make any mention of this Affair, they should be sure to speak with us, and to inform themselves, whether we found ourselves sufficiently impower'd to concur with them in this Declaration; and if not, that they would give Time to send to our Master, and they in the Interim not to declare themselves in the least. One Thing more he added, that they should not at this Time proceed to any Debate of the Terms and Conditions upon which this Cessation was to proceed, and that they should

should do no more but, in Concert with us, notify to the Mediators their Master's Consent in the general.

They and we having debated and concluded this Affair, went yesterday to declare the Consent of our Masters respectively to this Cessation; adding, as we did, that in the Circumstance of Time to make this Declaration in, we had resolved to yield to the Earnestness of the Mediators, and to sacrifice that Point of Discretion (which should have lead us to forbear this Declaration, till the two Armies of *France* were come nearer together, and more in a Posture to give some Check to the Successes so much boasted of by the other Side; which, the *French* Ambassadors said, they doubted not, would be within 8 or 10 Days at furthest.)

This was a particular Consideration we had had in Debate; and the single Effect, that we hoped from declaring the Consent of our Master's in this Juncture, was, the stopping the Elector from giving up himself immediately to a particular Treaty, when the Mediators should represent to him, how impossible it was to compass that End, he flatters himself withal, of rescuing his Country from the present Wast and Ruin, unless the Cessation would become general; since the *French* will be sure (as soon as the Elector shall break off from them by the Neutrality and particular Cessation proposed) to attack the *Imperialists*, wherever they find them in this Country, and to spare the Elector's Subjects as little as the *Imperialists* now do those that pretend to be Neuters in this Quarrel. We are not without Hopes likewise, but that the Consent of our Masters to the Cessation at this Time, may have a good Influence upon the present Deliberations of *Sweden*; for since it is more than probable that the *Dutch* and their Confederates will refuse the Cessation, while they swim down this present Stream, the King of *Sweden* having already declared in his Letters to the two Kings, that he will repute that Party to be an Enemy to Peace (*pro osore Pacis*, is the Word he uses) that shall obstinately refuse the Cessation, he will have one Motive more to bring him into Action against them.

What Effect this will have upon the Elector's Councils or Affairs, we are not able as yet to judge; only we find that the Mediators, as soon as ever they were put into the Possession of this Consent, in the Behalf of the two Kings and the Bishop of *Munster*, did write a Letter to the *Dutch* Ambassadors last Night, to desire their Consent to a general Cessation: We cannot hope to give your Lordship (by this Post) an Account of any Answer they may have had since. We are told, the *Dutch* Ambassadors are now in the General's Quarters, which are yet at *Bonne*; and so are the *Imperial* and *Spanish* Ministers likewise.

As to the Proposals abovementioned, which the Chapter had laid before the Elector, we, as well as the Mediators, were frequently moved by Prince *William*, and by other Ministers of the Elector, to give our Judgment and Advice upon them; we thought it our Duty to tell them in all Plainness, that we could not think those Proposals capable of being reconciled with the Treaties now in Force, between the two Kings and the Elector; nor with the Protestations which he is said to make upon all Occasions, that he will never enter into any Accommodations that shall be prejudicial to his Honour and Engagements to the two Kings; for we made it appear unto them, that the Neutrality pretended, is a direct Contradiction to the League offensive and defensive now in Force; and that the revoking of his Troops from the Service of *France*, is a perfect Violation of his present Engagements. And we pressed with all Earnestness, that he and his Ministers would be pleased

to

to consider, how far they would be from relieving themselves by this Change; since the Elector and his Countries would be put into the Hand of an Enemy newly reconciled; and that the *French*, who have yet lost no Battle, nor met with any Check, will, in Time, go near to turn these Scales, will have good Ground to make this Country a Seat of War, in order to drive the *Imperialists* out of the Elector's Places; which, if they do, they will be sure to keep to themselves.

In all the Conversation we have had with Prince *William*, we still found him pressing very earnestly for a present Supply of Money to this Elector, from the *French* Ambassadors; complaining very much, that he had received no Answer upon the Proposals he had sent to the *French* Court, for a new Establishment to the Elector; the same that we have mentioned in the foregoing Part of this Letter, and such as should be suitable to the present Exigency. We thought it our Duty to represent to them, that all Means possible were to be used to prevent this Elector from being taken off, in regard of the vast Consequences it would have upon the whole Alliance; and the *French* Ambassadors, at our Instance, did frame themselves to undertake, that if the Elector stood firm, he should be satisfied in the new Establishment he desired of 15000 Crowns *per* Month: Prince *William* seemed not to be satisfied with their Promise, unless we also would undertake for the Performance; we told him, that as we were not, and could not be instructed for this Incident, so we durst not undertake a Thing of this Weight of our own Heads; Only, that if it would be any Satisfaction to him, we were ready to lay our own Fortunes and Credit (as private Men) at Stake, and to engage with, and for the *French* Ambassadors, that the first Month's Establishment should be actually made good to the Elector, in that Proportion that the *French* Ambassadors should promise, and he accept.

Thus far we thought it our Duty to offer ourselves, and our little Fortunes, rather than suffer the Pretence of wanting a present Supply, to make it pardonable for the Elector to break off from the present Alliance; to shew an ill Example to *Munster*; and to endanger all the Interest and Footing that the common Cause against the *Dutch* hath at this present in the Empire.

We send your Lordship a Copy (communicated to us by the *French* Ambassadors) of the last Treaty between the Emperor and the *Dutch*. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{8}{18}$ *th Nov.* 1673.

My Lord,

Tho' we had resolved to dispatch this Bearer Express for *England*, as soon as the Letters from *Germany* should come in this Morning, yet thinking that it might haply so fall out, that the Letter sent by the Ordinary of yesterday, might come to your Lordship's Hands sooner than that we intended by the Bearer, we design'd a Duplicate of the Dispatch he now brings, and prepared it (as we used to do) for the wonted Hour: But, upon Advice from the Post-master, that the Ordinary of yesterday was to part two Hours sooner than usual, we were forced to break off abruptly, and in the middle (as it were) of our Narrative, having no Time allowed us to perfect it: However,

we did not forbear to ſend it away, imperfect as it was, in regard of the many Caſualties in all manner of Conveyance at this Time. We moſt humbly beg your Lordſhip's Pardon, if you find that Addreſs of ours to be imperfect, when it comes to your Lordſhip's Hands; we hope M. *Petit* will ſupply, or rather anticipate that Defect, by delivering this (that we now take Leave to ſend) before that other arrive. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{11}{21}$*th Nov.* 1673.

My Lord,

OUR laſt to your Lordſhip was of the $\frac{7}{17}$*th* Inſtant, by Mr. *Petit* the Expreſs, who parted hence the next Day, together with Copies of our ſeveral Diſpatches, ſince that Mr. *Fairfax* carried with him, of the $\frac{28\ October}{7\ Novem.}$ The principal Occaſion of our laſt, was to give your Lordſhip an Account, a little more at length, of the great Diſtraction we found this Elector in, upon the unexpected Deſcent of the *Imperialiſts*, their Conjunction with the Prince of *Orange*'s Troops, and the immediate Ruin they threatned him and his Country, unleſs he would forthwith reconcile himſelf to the Emperor, by a ſeparate Accommodation. We found the Terror ſo great upon him at that Time, that we were much afraid we ſhould not be able, by all we could do, to keep him right thus long; but hitherto, with much ado, we have done it; and, we hope, his Fear leſſening by Time, and in Meaſure, as he ſees the Danger go further off from his Perſon, by the drawing off of the Enemy's Troops, and the Hopes we endeavour to give him of a ſpeedy Succour; we may be able finally to preſerve him in the Alliance, eſpecially if there come in Time a ſatisfactory Anſwer from the Court of *France*, to the late Propoſition made by Prince *William*, on the Behalf of the Elector, for ſome additional Subſidies, as well for the Entertainment of his Perſon, as for the Subſiſtence of his Troops, in Conſideration of the great Ruin brought upon his Countries and his Revenues, by the Marches, Quarterings, and Contributions occaſion'd by the Armies of *France*; beyond what was intended or foreſeen in the Treaty between that Crown and the Elector, and in ſeveral Particulars, even contrary to what was there promiſed by *France*. A preſent and effectual Satisfaction in this Point of additional Subſidies, we have Reaſon to believe, would go far with Prince *William* and the other Miniſters of the Elector, towards the final ſecuring him to us; altho', to do him right, we have found Prince *William* extreamly zealous and concerned in this Occaſion, to juſtify himſelf and the Sincerity of his Services to the Alliance, and indeed he hath done it with great Induſtry and Addreſs.

In our laſt, we acquainted your Lordſhip with a kind of a Project the Chapter had offer'd to the Elector, as the Conditions they would adviſe him to accept an Accommodation upon with the Emperor: The *French* Ambaſſadors and we have (as your Lordſhip will have ſeen in that Diſpatch) combated that Project before Prince *William*, and one *Vidman*, a Principal Officer and Man of Buſineſs about the Elector, with what Arguments we could, as being, on the one Hand, directly contrary to the Terms of the Alliance which the Elector now ſtands engaged in with the two Kings our Maſters; and, on the other Hand, as not being in any Degree ſuch, as would give the Elector any of that Eaſe

Ease and Deliverance (that he proposed to himself) from the Distress he finds himself in. We have not since that Time heard any Thing more of that Project, nor of any further Progress it has had; and by the Calm we find about the Elector these two or three last Days, we begin to hope the worst is past on that Side. In the mean time, our Allies cannot but think long that M. *de Turenne* advances not nearer, and that they have not much more News of M. *de Luxemburgh*, who, in case he should not be in Condition to make some kind of Stand to that Part of the Confederate Army, which is now drawing down towards the Bottom of the Electorate, but that they have the Time and Opportunity of making themselves Masters of *Nuys*; we find by the Ministers of this Elector, of the Bishop of *Munster*, and other Neighbouring Princes, that they will look upon the taking of that Post, as a very great Blow to the common Interests in these Parts, and such as will not easily be recovered.

We cannot yet learn certainly, whether that be any Part of the Enemy's Design at this Time, considering the Season in which we are, and that, as we are told, their Troops have need enough of Rest and good Quarters; for the present they are divided into several Bodies: The Prince of *Orange* with one, is marched a little to the left Hand toward *Juliers*; another Body of 4000 is ordered, as we are told, up higher towards *Liege*-Side; and a third keeps in the Electorate, more to the right Hand towards *Nuys*; M. *de Montecuculi* remaining himself still at *Bonne*, a little indisposed; so as it does not yet appear, what their next Design is; and we are assured by those that pretend to have informed themselves with Care of their Numbers, now at their rising from before *Bonne*, that both Armies, *i. e. Montecuculi* and Prince of *Orange*, do not make above 30000 Men effective, contrary much to what hath been hitherto believed of them; the Prince's Army not exceeding at the most 6000 Men, of which the Foot, being about 2000, are, they say, most miserable Creatures, generally all Boys, and not a Sword to every 8*th* or 10*th* Man: His Horse is indifferent good. The *Imperialists* are said to be exceeding good Troops, especially the Horse, but not to exceed above 24 or 25000 Men in the whole: We are assured by all Hands, there are already great Dissatisfactions between the two Generals; the Prince of *Orange* having received several Mortifications from *Montecuculi*, especially in the Business of the yielding up of *Bonne*, which the Prince pretended ought, of Right, to have yielded to him, as having had his Attack the most advanc'd; and indeed, the only one that had brought the Place to any Stress.

Saturday the $\frac{8}{18}$*th* Instant, the Mediators made us a Visit, to communicate to us the Answer they had received from the *Dutch* Ambassadors, to their Papers of the 6*th* and 9*th* Instant, a Copy of which we send your Lordship here inclosed; all the Mediators said to us upon it was, that they could not well tell what to make of it, there were so many Things unfairly said in it, several mistaken Allegations in Matter of Fact, and the whole Turn of it look'd so odd, they could not tell what to think of it. All that we can yet conclude from that, and other Observations of their Carriage, and Discourse of the *Dutch* Ambassadors, is, that they resolve finally to insist on the Matter of *Lorain*, and that they are not like to admit of the general Suspension of Arms. And as to this last Point, we were told yesterday by M. *Stradtsman*, the Duke of *Newburgh*'s Minister in this Town, that as well the Count *de Montecuculi*, (with whom it seems he had been to complain of the great Disorders committed by the Confederate Troops in his Master's Territo-

ries) as the Baron *de Lysola*, had desired him to recommend expresly to the Duke his Master, to oppose, as well the Matter of a general Suspension, as the *Tiers*-Party endeavoured to be formed in the Empire, as Things in no Sort agreeable to the Mind of the Emperor.

This Day M. *d'Odyike*, one of the *Dutch* Ambassadors, parts hence for the *Hague*, having received an Account of his Lady's being dangerously ill; whether any other of the Ambassadors will follow (as was heretofore given out of *Beverning*) or not, is not said. Among other Things, at our taking Leave of him last Night, talking of our present Affairs, he told us very plainly, in the hearing of several Persons, upon the Point of the Flag, that they would not acknowledge it to be our Right; that indeed they were willing to agree, that for the future all their Ships should strike, *&c.* but never to own, that it should be done as of Right to us; only because the King insisted upon it, and for Peace Sake, they would agree to do the Thing, as a Respect they had a Mind to pay the King, and because his Majesty finally insisted upon it. And this he said in very plain Terms more than once, in the hearing of all the Company; which shews sufficiently (we think) to all the World, and particularly our own People at Home, how far these People still are, from any Disposition of doing his Majesty right, even after all the Extremities they have been yet brought to suffer.

As we were closing this, with acknowledging your Lordship's of the 27*th* past, we received by Mr. *Barré* the Express, that of the 4*th* of *November*, with an Account of his Majesty's having prorogu'd the Parliament till the 7*th* of *January* next, which will be as surprizing News on this Side, as your Lordship observes it was unexpected at Home. We hope it will please God, according to that good Providence that hath so eminently all along watch'd over his Majesty's Person and Affairs, to turn all Things to the best, for the Advantage of his Majesty, and of his Service; and to deliver him at last with Honour, out of all the Intricacies these insolent and implacable Enemies endeavour to entangle the King and his Government in.

We shall not fail, as your Lordship is pleased to command us, to represent to the *French* Ambassadors here, how necessary it is to the Affairs of the King our Master, to have a speedy Peace, if it be possible, and yet at the same Time to take what Care we can, that our Enemies, upon this last unexpected Incident of the proroguing of the Parliament, do not bring our Affairs into further Discredit with the World; which most certainly they will make it their Business to do, with all the malicious Arts they can. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{11}{21}$*th Novem.* 1673.

My Lord,

In our last that we had the Honour to write to your Lordship, which was of the $\frac{7}{17}$*th* by the Ordinary, a Duplicate whereof goes herewith inclosed, we gave your Lordship an Account of what had passed between M. *d'Odyike* and us, as we took our Leave the Night before at his House; on *Wednesday* Morning he did us the Favour to bid us adieu before he took Boat to go down the *Rhine*; and being then very full with the News of proroguing the Parliament, and with the Hopes (he said) there were that *England* would come to a separate Peace,

Peace, he, after that familiar Way he hath been used to converse with us, was pleas'd to enlarge himself (but with several Intimations, that he did it in extream Confidence, and beyond his Commission) upon the several Points of his Majesty's *Ultimatum*.

He began with the Flag, and said, his Majesty should have all the Respect he demanded, even that their whole Fleets should strike to any one single Ship of his Majesty's; but that they, the *Dutch*, would be excused from making any express Recognition of the Point of Right in the Treaty, he alledging it to be an abundant Courtesie in them to have admitted the Words *Maria Britannica*, as they have done, into all their Treaties, while the *French* could not be brought to use that Word *Britannica*, but instead of it have the Words *Maria proxima*, in their Treaty of *Breda*.

One or two Things he did hint at, on this Point, which we had not observed to fall from him in former Conversations: The one was, that they were willing, for greater Respect Sake, to strike to the King's Flag all the World over, in the manner desired, without Limitation or Distinction of Places: This, we told him, we did not understand to be the King's Desire, and being they were pleased to be more liberal than we desired, or expected they should be, we had Reason to look upon the Offer they made, as suspicious in the Consequence; for it may be suspected as a Design to render the special Right that we are now possessed of in the *British* Seas less certain, and less clear and evident in future Ages; since the *Dutch*, if they shall be of the Mind at any Time hereafter, to refuse us the Compliment of striking all the World over, will have a specious Plea to chicane upon, *viz.* that we, in accepting of that Novelty, in lieu of the ancient Prerogative in these Seas, shall have extinguished that Right, whereof we had immemorial Possession; and have nothing left but to maintain ourselves in this new Purchase as long as we can: Another Thing was, in his arguing against Recognition of our Right and Possession, which we desired might be couch'd in the Article; he said, it was unreasonable to desire or expect that they, the *Dutch*, should be urged to make a Declaration of that Right, wherein they had neither Share nor Benefit; but, on the contrary, a Burthen derived from it; but seemed to say, the alledging of our Pretensions might be permitted to us more tolerably, than exacted from them by way of Acknowledgment. This gave us an Occasion to reflect upon an Expedient, lately discoursed of to us by M. *Ehrenstein*, as if it were not impossible to bring the *Dutch* to an Article, that should have in it a *Preface*, and a *Whereas*, deducing what we desir'd as the Pretension of one Side only; but that in the dispositive Part of the Article, the *Dutch* should be bound to do and observe the Things stipulated, without any further enlarging into the Particulars alledged or pretended in the Preface: We did not think fit (nor indeed had M. *d' Odyike* Time) to engage in the Discussion of a Thing, that was but obscurely hinted to us: We said, his Majesty desired no more, than to preserve this Right of his Crown entire, as it was transmitted to him by his Ancestors; and to take off those false Glosses, and new Cavils, which M. *de Wit* had invented upon the Article of *Breda*, and upon the ancient Usage, in those Letters and Instructions which he sent to all the Courts of *Christendom*, in order to justify the Affront given to his Majesty's Yacht before this War.

From this Article of the Flag, he passed next to that of Commerce, and said, they, the *Dutch*, would give us the Explanation we desired about Places besieg'd or block'd up in the *Indies*; and also that

they would oblige themselves not to make any more such Treaties, as that with the King of *Macassar*, to our Exclusion, as long as they should be at Peace with us in *Europe*: But for the Matter of not building Forts upon Passages, and raising those they have already built, it must not, he said, be expected from them; since such Acquisitions are never without vast Expences, and the Recompence they have is, to preserve the Trade of such Places from the Invasion of others: Nor will they suffer us (which was the fourth and our last Branch of the Article of Commerce) to trade with any People, where they shall come before us, and contract for the whole Commodity; the Remedy against the Seller, who doth not make good his Contract, being not sufficient, as he said, in their Case: Where they have once contracted, they will not suffer us to cheapen or intermeddle.

The Matter of the Fishery he passed over with a Railery, tho' he had been not long since shewn an Original of King *James*'s Expostulation with the *Dutch*, in the Year 1618; wherein the States did not in the least dispute the King's Right, but only in Regard of the Danger and Confusion their Country then was in, from the *Lovestein* Party, desired a little Respite, and promised, that as soon as their Affairs were in any Measure settled, they would come to an Adjustment with the King upon his Demands: He had been shewed likewise another Original, whereby it appeared, that the City of *Bruges* had so lately as the Year 1666, sued out a Licence for the Fishing Boats of that Town in our Seas: But he was not pleased to be more serious upon that Argument, than to say, that they, the *Dutch*, would bait the Herrings (as Men do Carpes) to come and feed upon their Coasts; and then they would be in Possession of a Liberty to fish; adding, that then we should fish upon their Coasts, without any Interruption.

The Point about the Million of Money, he passed it over likewise with a Railery, as if his Majesty wanted it not, having such abundant Supplies out of *France*: *Surinam*, he said, should be accorded to us, as also an Article (as full as we can desire it) upon the Matter of Libels and Medals. The Prince of *Orange*, he said, should be all that we did contend for, even Stadtholder Hereditary to Morrow, if he do but so much as hold up his Finger, and let the *Dutch* understand, he will accept of it: All this, My Lord, is but Talk, and spoken by M. *d'Odyike*, by which your Lordship may judge what Stress we put upon it.

Having thus delivered himself upon our principal Points, he was pleased to enlarge upon the present Forces and Conjunction of the Confederates; he did with many great Asseverations say, the Prince of *Orange* was no less than 14000 strong in this Country; that Count *Waldeck* came with a great Force to joyn him at *Venlo*, and yet that there are 17000 Men left to defend their Country, and to possess themselves of the Places quitted by *France*; upon whose withdrawing so unexpectedly, he laid many an Emphasis.

The same Day, M. *Sherwood* (who was Minister to the Bishop of *Munster*, not long since in *England*) told us, he had had Audience on *Tuesday* last from this Elector, and that he found him not so unsettled as was given out, and indeed might be expected, as the Case now stands with him: He declared himself, (as M. *Sherwood* told us) that he was resolv'd to expect for some Time with Patience, and to see what *France* would do in Pursuance of their Treaties, for his Relief; he did declare himself likewise to be perfectly satisfied in every Thing with the King our Master; and being told, that we had lately sent an Express to

our Maſter, to acquaint him with the Elector's preſent Circumſtances, he did own, and ſeem'd to be well pleaſed with the Care and Concern we had endeavoured to ſhew upon all Occaſions, both of his Perſon, and of his Affairs, ſince his firſt coming into the preſent Straits; but it was an Obſervation that M. *Sherwood* could not chooſe but leave with us, that all the Miniſters and Confidents about him (Prince *William* of *Furſtemburgh* only excepted) are ſtrongly byaſs'd, and full of Wiſhes, that he would make his Peace with the Emperor, and quit the preſent Alliance without any more ado.

If this Elector do ſtand firm, and weather out this preſent Storm, very much muſt be attributed to the Prudence, Vigilance, and good Conduct of Prince *William*; who hath evidenced not only a great Zeal, but alſo very good Abilities, in managing the Councils and Affairs of the Elector in his preſent Difficulties, and in preſerving himſelf in Credit enough with him, at a Time when the Miniſters of the oppoſite Party have made their utmoſt Efforts to remove him from the Elector; and when all the reſt of the Elector's Miniſters and Attendants are of that Byaſs and Perſwaſion contrary to Prince *William*'s, in that they believe and judge the Elector hath no Way to ſave himſelf, but by a preſent and ſeparate Accommodation: One Inſtance the Prince hath given very lately of his dexterous Management, in bringing the Elector to make ſuch Reflexions and Anſwers upon that Project, which the Chapter had given in to him to deliberate upon, as a Means for him to put himſelf into a State of Neutrality and a Peace; and as an Opportunity for them, the Chapter, to uſe their good Offices with the *Imperialiſts* in their Prince's Behalf.

This Project is now return'd again from the Elector to the Chapter, and the Elector is ſo far from declining to enter into an Accommodation with the Emperor upon it, as it is now framed and modell'd, that he deſires the Emperor's Anſwer and Reſolution upon it; declaring, that in Caſe he hath not Satisfaction given him, he will carry it to the Dyet of the Empire, and ſubmit to their Judgment and Juſtice. The Chapter, in this Project, had, it ſeems, propoſed, that the Elector ſhould call back his Troops out of the Service of *France*, and ſhould forbear to carry on the War any further againſt the *Hollanders*, for that they now are Allies in the ſtricteſt Confederation with the Emperor; but it being a Thing not to be denied, that the Alliance of the Emperor is ſubſequent in Time to the Breach between the Elector and them, the Elector conceives himſelf well founded to carry on the War againſt *Holland*, without Offence of the Emperor: Nay, he hopes to have right done him by the Empire; in that the Empire having long ago declared, that the *Hollanders* have uſurp'd upon this Elector and his Predeceſſors, and having further uſed all Inſtances, Offices, and Means, that a Dyet of the Empire can uſe in the Behalf of ſuch a Member of it; and that the Elector having not enter'd into this War againſt *Holland*, till all thoſe Inſtances and Offices of the Empire had proved altogether fruitleſs and ineffectual; the Emperor ought not (the Conſtitutions of the Empire, and the Peace of *Munſter* being conſidered) to have allied himſelf with Strangers, againſt an Elector and Prince of the Empire, proſecuting his own Rights; and thoſe lying within the Bounds of the Empire, and declared by the Empire to be his Rights; and alſo Reparation having been demanded by the Empire in his Behalf, but abſolutely refuſed him; in which Caſe it was lawful for the Elector to League himſelf, and to joyn his Forces with any Princes, to recover thoſe Rights within the Empire, violently detain'd from him and his Predeceſſors; but that

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it was an absolute Infraction of the Constitutions of the Empire, for the Emperor to ally himself against this Elector, in Aid and Support of those, who usurped upon him within the Body of the Empire: So that the Project of the Chapter cannot reasonably be refused, if they pretend to intermeddle in the Affair; on the other Side, as it will certainly be refused by the *Imperialists*, so it will be Matter of Justification to this Elector, and further a Ground of Complaint at a Dyet of the Empire. And indeed, the Cardinal of *Baden*, who affects much to meddle, as a Reconciler in this Elector's Affairs, (in Hopes of making his Way easier to the Coadjutorate one Day) finds himself embarrass'd, and perfectly at a Loss, when he treats with Prince *William* for bringing this Elector to a separate Accommodation.

YESTERDAY in the Evening, the *French* Ambassadors shewed us an Original Letter of their King to this Elector, wherein the King tells him, that as soon as ever he heard of the Harrass that his Country was like to be exposed to, by the Conjunction of the *Imperial* and *Netherland* Forces in it, he had commanded M. *de Luxemburgh* to do all he could possibly for its Preservation and Relief; and by the several Orders he had given to the Viscount *de Turenne*, and Duke *de Luxemburgh*, it will, it says, appear, that he hath all the Concern and Care possibly of his Safety and Satisfaction, and will give him all the Marks he can of the Friendship and Esteem he hath for his Person; for further Particulars, he refers himself to his Plenipotentiaries here upon the Place; desiring that all Credit may be given to what they shall tell him, in the King their Master's Name.

WHAT they, the *French* Ambassadors, have to answer upon the Elector's Proposal, for an additional Subsidy of 15000 Crowns *per* Month, for the Support of his Person, and for a further Supply for the preserving and recovering of his Estates, we have not yet heard from them, (their Letters being not, when we spake with them, out of Cypher) any more, but that they have a Bill of Exchange for 12000 Crowns for him. But we hear no News of M. *Turenne*'s marching this Way, himself being still about *Creutsnach*, and having sent his Copper Boats back again to *Philipsburgh*; nor is there any Thing said of M. *de Luxemburgh*'s advance nearer than *Rhineberg* this Way, which is still Matter of more Wonder and Dissatisfaction to the Alliance on this Side.

THE *French* Ambassadors do now own, their Master will consent to a *Tiers* Party, for the better Countenance of this Mediation: We wish heartily it be not too late; and that those from whom much might have been hoped two Months ago, may not be now too far engaged within the Interests, or under the Awe of the Emperor: They do further say, the King their Master will be content there shall be an Article inserted in this Treaty, whereby the whole Affair of *Lorain* shall be referr'd to Arbitrage, and the Decision of Arbitrators shall be binding to his Majesty in Virtue of this Treaty.

LAST Night the Mediators told us of a Letter which the *Dutch* Ambassadors had writ to them, which alarm'd them very much; they did not shew it then to us, but said, they would come and communicate upon it with us in Form: It consisted of two Points; the one was an Expostulation with them, the Mediators, upon that Passage in my Lord Chancellor's Speech, wherein his Lordship tells the Lords and Commons, — "That his Majesty's Condescension at this Treaty had been "so great, that the very Mediators have declared, they were not reasonably to be refused." The other Point was, that they desired M. *Sparr* and M. *Ehrensteen* to own, that they in their Passage through

Holland

Holland last Year, had declared to the States General, that they would never give Way to those Pretensions of Dominion, which his Majesty lays Claim to in the *British* Seas; but that all the Maritime Puissances, and particularly the King of *Sweden* their Master, would (as they were very well assured) oppose those Pretensions. To this last Point, M. *Sparr* told us, he could very truly and justly give them the *Dementir*: As to the Passage in my Lord Chancellor's Speech, they were content we should give our Reflexions and Assistances to them upon it, when they should come to communicate with us upon the Letter itself, and then we hope to be provided for their Satisfaction, and your Lordship's: In the interim, their Opinion was, that they design hereby to pick a Quarrel with the Mediation, and to blacken it, if they can, with Partiality.

FOR News, we have no more, but that *Leichneich*, a little Town in this Electorate, is taken in by the Confederates; and there is the like Report of *Kerpen*, but not so certain: *Nuys* has a Garrison in it of 4500 Foot, and 500 Horse, and *Keysaerwaert* is well provided. 'Tis taken for a certain Truth here, that M. *de Montecuculi* returns suddenly for *Vienna*, and leaves the Army under the Conduct of M. *Bournonville*, which so much dissatisfies the Generality of the Officers, that a considerable Dispersion will probably follow. The Opinion they have of his Temper, (which is very prompt) and of his Abilities for this Post, being nothing advantageous. We have no Certainty to relate of the Conjunction now enacting between the Count *de Monterey* and Count *Waldeck*. Some say, they design to enter into *France*. The *French* Ambassadors just now received Letters, that the King of *Poland* is so dangerously ill, as to have received Extream Unction. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{14}{24}$*th Nov.* 1673.

MY LORD,

IN the Close of our last, which was of the $\frac{14}{24}$*th* Instant, by the Ordinary of that Day, whereof we herewith send your Lordship a Duplicate; We gave your Lordship an Account of a Letter the Mediators had received from the *Dutch* Ambassadors, upon Occasion of that Passage in my Lord Chancellor's Speech, at the Opening of the late Session of Parliament, where he tells the Two Houses, "That "His Majesty's Condescensions at this Treaty had been so great, "that the very Mediators had declared they were not reasonably to "be refused." We told your Lordship how much the Mediators had been surpriz'd at the Thing, and the Doubt they were in, how to make a discreet and safe Answer to it, looking upon it as an Artifice design'd on purpose by the *Dutch* to draw from them, the Mediators, either an Avowance of what my Lord Chancellor has there said, and so to get a Pretence to except for the future against their Mediation as partial and unfair; or in Case they shall deny to have said it, then to have wherewithal to contradict my Lord Chancellor in that main Point, which they find pinches them in a most sensible Part, as well to the World Abroad, as particularly to our own People at Home. The Difficulty we found the Mediators were in was, how to answer, so as to defeat this Design of the *Dutch*. To which, they said, they would desire to come and communicate with us, before they finally

agreed

agreed upon it. We thank'd them for their Care towards His Majesty, in a Matter which we said their Excellencies judged rightly would concern much His Majesty's Service to have discreetly handled: We told them, we were not provided to give their Excellencies an Account of the precise Words we had used in those Narratives we had made from time to time, touching the singular good Satisfaction their Excellencies had declared, not only in their own Names, but in the King their Master's Name, for that great Sincerity and Frankness wherewith His Majesty had proceeded to several great Condescensions, in Order to facilitate their Work of making the Peace, only we craved Leave to remind them of several Gradations that happen'd in our Proceedings, and of their Sense upon those Gradations. The first was, upon the giving in of His Majesty's first Demands; then their Excellencies were pleas'd to say, the only Thing they found very difficult was that of Cautionary Towns; that if that Article was taken off by some Expedient or Equivalent, they doubted not but that the rest of our Affair would be found easy enough to accommodate. This we observed to them was their Sense before M. *Beverning* and *Haren* went for the *Hague*; for before that Journey, they were so tractable, that the Mediators told us, they durst not say the hardest Article (*viz.* that of Cautionary Towns) was insuperable, they only said it was very difficult; but for the rest of our Demands, they made no Difference between them, all seeming not at all difficult in Comparison. Another Gradation was, when we acquainted them with His Majesty's absolute quitting the Article of Cautionary Towns, then their Excellencies told us, they did not only give all humble Thanks imaginable to His Majesty for that Abatement, but profess'd a perfect Veneration for his Piety in forwarding the Peace; adding, this Abatement being not only an Instance of his Moderation, but a great Example for the rest of his Allies to follow, they would always bear witness with the King their Master, how forward and zealous His Majesty had shew'd himself to facilitate the Peace. A third Gradation was, when both at the Time of giving in of his Majesty's *Ultimatum*, and at the Time we demanded a Categorical Answer from the *Dutch*, we had observed to their Excellencies, that the *Dutch* had not receded in the least from the Terms they had used in that Invective (rather than Letter) of theirs, of the 15*th* of *August*, nor from the Declaration they had since made, they would make no further Advance nor Offer, than what was in that Letter, till our Master, as well as the rest of his Allies, should come lower in his Demands; and that we had from Time to Time deposited several considerable Abatements in their Excellencies Hands, upon their Hopes (and their Undertakings in a manner) to draw from the *Dutch* some Offers and Advances towards his Majesty in proportion. Here we took Leave to mind their Excellencies, that they found themselves absolutely disappointed by the *Dutch*, as to any Advances of their Side; that they had frequently complain'd of their Temper, which was become much more *fier* and untractable, than they were before the Journey to the *Hague*: That to our many and earnest Complaints at several Times, by way of Advance or Approach from the *Dutch*, for our many Abatements, their Excellencies were pleased to be so just, and so generous, both at publick Conferences and private Conversations, to bemoan us, in that there was no better Return made to his Majesty's Condescensions; and to acknowledge, that it was an Effect of Obstinacy in the *Dutch*, to refuse to correspond in any Degree with his Majesty's Abatements; there being no Reason to be given, that so many Condescensions having been still laid before them, as an Invitation

tation given them by his Majesty, the *Dutch* should still refuse to make the least Offer or Advance on their Side. This Series of Proceeding, we told them, might have given his Majesty Cause; to direct my Lord Chancellor to represent the Uningenuity of the *Dutch*, as he doth; not to say that we had already obtain'd any Declaration or Act in Form from their Excellencies, upon the Reasonableness of his Majesty's *Ultimatum*, but that their Excellencies had acknowledged, all Correspondence and Compliance on the Part of the *Dutch* had been refused, and that without Reason; since nothing was more reasonable than to recede, at leastwise in some measure, from the Insolencies of their Letter of the 15*th* of *August*, in Compliance with so many great Condescensions on his Majesty's part.

We acquainted your Lordship in our last, of the Declaration the *French* Ambassadors had made to the Mediators, of their Master's consenting to the Proposition heretofore made, of a third Party to be framed of the indifferent and well intention'd Princes of the Empire, for the supporting of the Mediation; the Notification of it was immediately given to the respective Princes concern'd, and already the Minister of the Elector of *Bavaria* is, we are told, upon his Way. He of *Newburgh* is upon the Place with us; and 'tis suppos'd, that the two Kings and their Allies having given their Hands to the Proposition, those that are already here will immediately be thinking of framing the respective Projects for the several Parties.

The *French* Ambassadors tell us, they did this Afternoon acquaint the Minister of the Duke of *Hanover*, who has been some time in this Town on the Part of the Duke, that the Most Christian King, in Consequence of the Resolution he had taken, of consenting to that third Party in the Empire, had given an Account of it to the Duke his Master; and consented to a Proposition that Duke had, it seems, some time since made in the Court of *France*, viz. that he might have the Most Christian King's Consent to treat with the *Swedes*, for the joining their Troops together, in order to Action, for the Advantage of the Alliance; which, they said, the King their Master had now agreed to, and accordingly, they advised him, the Envoy, forthwith to apply to the *Swedes* Ambassadors in that Matter. They tell us, there is some Likelihood, as if the Elector of *Mentz* might also be gain'd very fast into our Interests, at least so far, as to be assur'd to us in the Line of the intended third Party, or new Mediation, in case that Proposition of a new Mediation should take Place: That one Chancellor *Meyers*, who, it seems, is the principal Man of Business about him, hath written something to that Effect to M. *Courtin*, of whose ancient Acquaintance he is; and that the Elector being at present in some Straits for Money, he, the Chancellor, is of the Opinion, he might be engaged by a moderate Subsidy or Pension.

There has of late been some little Jealousy here, upon a Letter from the Bishop of *Strasburgh*, of the Bishop of *Munster*'s tampering with the Emperor and the Confederates; but there does not yet appear any certain Grounds for it, only it is observed, that he hath ras'd a Half-moon, which, they say, was of good Strength before the Gate of *Dorsben*; which looks as if he were thinking of giving up that Place: And to this is added, that the Bishop of *Strasburgh* having let him know, now that he was so near him as *Rhinebergh* and *Wesell*, he had a Mind to make a Step over and see him. The Bishop of *Munster* had excused himself, saying, he apprehended the Emperor might not take any such Interview well at this Time. But the *French* Ambassadors tell

 us,

us, the Commander *Smising*, one of his Deputies here, assures them, there is no Fear of the Bishop's shrinking. And yet we observed the other Night, that speaking with the said Commander upon that Matter, he fell into a great Complaint of the Hardships done them in several Particulars by the Court of *France*, and their Ministers especially, in a Dispute they had now depending with M. *de Louvoy*, for a Sum of 46000 Crowns; which that Minister pretends, as he says, to abate them, upon certain Querks and Chicanes, out of the Subsidies now due to them from *France*, which, said he, happens in a very ill Conjuncture; insinuating, as if such a Treatment at this Time were capable to endanger the Bishop's flying off from them.

As to this Elector's Accommodation, which the Cardinal *de Baden*, and the Baron *de Lysola*, continue to press with all imaginable Arts and Industry; we find by Prince *William*, that after several Projects offer'd and debated between them, the Emperor's Ministers did give in yesterday, thro' the Hands of the Chapter, (who have the Parts of Mediators in this Affair) their final Demands, which are peremptorily to have *Nuys* and *Keysacrwaert* put into their Hands, under a certain new Form of Neutral Places during this War, and to have a Garrison of their Men continue in *Bonne*, tho' under a Commandant of the Elector's, the Garrison to be paid by the Elector, and the Emperor to have Liberty, in case he see it any Time necessary, to place a Governor in the Town, to whom the Elector's Commandant shall obey for the Time: And these are the last and lowest Conditions, the Baron *de Lysola* says, the Emperor will hearken to in that Matter. Prince *William* seems not to doubt, but that these Demands will be found, even by the Chapter, who interpose in the Affair, so very unreasonable, that there will be an End of the whole Negotiation; and with this Advantage on the Part of the Elector, that it will appear to have broken on the Emperor's Side, by the Unreasonableness of his Demands: The only Thing the Prince seems now to fear in the Matter is, that all other Ways of bringing the Elector to an Accommodation failing them, they will proceed to execute what they have for some time threatned, *viz.* to burn all the Country. This they think, when it is found they are indeed in earnest, will bring so great a Cry upon the Elector and Prince *William*, (whom they look upon almost as the only Man that keeps the Elector in the present Alliance) that they will be forced to come to an Accommodation forthwith even upon any Conditions: To fence this Blow, the *French* Ambassadors did last Night, at the Suggestion of Prince *William*, declare to the Mediators, as by the King their Master's Orders, that in case the Confederate Army should proceed, as they have threatned they would, to burn these Countries, that M. *de Luxemburgh* had Orders immediately to do the same in all theirs; and particularly to begin with the Prince of *Orange*'s Country about *Bueren*, *Isselshein*, &c. which, 'tis believed, will put a Stop to them in the Thing.

But we perceive the last and strongest Security the *French* Ambassadors think they have in this Matter is, that if after all the Elector should be prevailed with to come to an Accommodation, they are resolved absolutely to detain *Nuys* and *Keysacrwaert*, under a Pretext, that they having furnished the Elector several considerable Sums of Money during this War, in Consideration of his having engag'd as their Ally, to joyn with them, for the procuring each other Satisfaction from the *Dutch*, against whom alone the War was begun, they must come to an Account with him for those Sums, before they can deliver him up his Towns; and this we find is like to be, at last, the surest Hold

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we have of the Elector in the Matter; especially considering, that hitherto he has not received the Satisfaction he had hoped for from the Court, as to the additional Subsidy, for the Entertainment of his Troops; for the more effectual sollicıting of which, the *French* Ambassadors have perswaded Prince *William* to dispatch a Person on Purpose to *Paris*; which serves still to keep the Elector a little in Heart, whatever the Success of the Thing be in the End.

INCLOSED we take Leave to send your Lordship a Copy of the abovementioned Letter, written by the *Dutch* Ambassadors to the Mediators, upon Occasion of my Lord Chancellor's Speech, expecting this Afternoon that the Mediators will see us upon it, as well to give us a Communication of it in Form, as at the same Time to acquaint us what kind of Answer they intend to return to it. They have hitherto seemed of an Opinion, and we find the *French* Ambassadors of the same Mind, that they should not answer directly to the Point put to them, neither yea nor no, to prevent the Advantage the *Dutch*, as they think, design to draw from any such Answer; but avoiding that, to turn their Paper to a Desire and Instance to them, the *Dutch* Ambassadors, to avoid in all Things the further embarrassing the Negotiation; and so to call to them again to hearken to some Expedient in the matter of *Lorain*, &c. And this kind of turn they seem to think best to give the Answer they are to make.

WE are not wanting to his Majesty's Commands, signified to us in your Lordship's of the 4*th* Instant, to take all Occasions to represent to the *French* Ambassadors here, the Necessity the King's Affairs at this Time are in, of having, if it be possible, a speedy Peace. But tho' they continue to assure us all along of an entire Disposition, and a perfect Desire in their Master to put an End to the War, which, they say, for many Reasons, becomes more and more necessary every Day for them to do; yet we do find so absolute and insuperable an Obstacle put to the Negotiation, by the refusing to admit the Duke of *Lorain* as a Principal into it, that we cannot tell how to hope, ever to be able to get over that Rub; and whatever be really the Averseness of our Enemies as to a Peace, yet they hope to make a considerable Advantage towards the World, so long as the Negotiation is made to stop at our refusing a Thing, which they pretend is so reasonable and fair, as the receiving of one of their Allies, the Duke of *Lorain*, to treat as a Principal, where two other of their Allies have already been received, *i. e.* never excepted against, or denied to be received as Principals, *viz.* the Emperor and the King of *Spain*, and that with a Prospect of providing for them in several Interests and Matters, not at all relating to the present War. And this kind of Reflexion we have observed the Mediators have made upon this Matter of the Duke of *Lorain*'s, fearing how reasonable at last the World will find it, that the Peace should finally miscarry for a Punctilio or Point of Honour only. In the mean time, the Mediators have communicated to the *Dutch* Ambassadors, what the Most Christian King hath offer'd in that Point, but have not as yet received any Answer to it; only it appears, they continue absolutely to insist upon the Point, refusing, as your Lordship will see by the inclosed Copy, of what they writ two Days since to the Mediators, in the Matter of the general Suspension, to answer any Thing to that, or any other Matter whatsoever, relating to the Negotiation, till they shall be first complied with in the other Point of the Duke of *Lorain*.

THE Confederates Army continues where it was by our last, *i. e.* the greatest Part of it towards *Dwren* and *Juliers*, spread and dispers'd for the Conveniency of Quarters; having attempted nothing considerable since the taking of *Bonne*, only in their Passage they made themselves Masters of *Kerpen* and *Leichneich* in the Electorate; which, tho' but slight and small Places, might yet have made a better Resistance than they did. It's believed they will scarce now think of medling with *Nuys* or *Keysaerwaert*, considering the very severe Frost that is set in, in these Countries, these 6 or 8 Days past, and that those Places are otherwise very well provided by the Care of M. *de Luxemburgh*; the Truth is, so well, that it would be no longer in the Power of the Elector, if he had a Mind to deliver them up to the Emperor, Care having been early taken by the Ambassadors from hence, upon the first appearing of the Elector's Unsteadiness, that as many *French* as could be should be thrown into them. And it is believed, the Consideration of this Circumstance, as it may make the Elector fall off from the Thoughts of his Accommodation, indeed seeing it out of his Power to execute that, which was to be the principal Condition of it, *viz.* the yielding those two Places to the *Imperialists*: So, on the other Side, the Knowledge of it may likely enough make the Emperor call in the pressing this Accommodation, as foreseeing he shall not be able to reap the principal Fruit he promised himself from it.

IN the mean time, they continue to commit all manner of Wasts and Ravage in the Country, making little Difference between the Dutchy of *Juliers* and the Electorate; which has obliged the Duke of *Newburgh* to carry his Complaints to the two Kings, as your Lordship will find by the inclosed Letter of the Duke to his Majesty, upon that Occasion. It was brought us yesterday by M. *Stradtsman*, with the Duke's Compliments and Respects to the King. The Meaning of it, as your Lordship will find, is, to inform his Majesty what he suffers, for being suspected to be underhand a Friend to the Alliance; and to pray his Majesty's Favours, that when it pleases God the Peace is made, Care may be had for his Reparation in some reasonable Sort; it being certain that his whole Country of *Juliers* is so ruin'd by these Marches of the *Imperialists* and the Prince of *Orange*, as that in many Years it will not be able to recover itself.

THERE is a Report as if the Prince of *Orange* and General *Spork*, with the Body of the Horse of both Armies, were order'd to march to the *Moselle*, to face M. *de Turenne*, but it is much doubted of, considering how the rest of the Army would be left exposed to M. *de Luxemburgh* in the mean time: It is rather believed, if the Horse do march that Way, that it will be to take their Quarters somewhere in the *Pais de Liege*, if possible; certain it is, they begin to be in great Difficulties how to dispose of their Troops, as to Quarters, upon the not finishing their Accommodation with the Elector, as they had proposed to themselves, and the Duke of *Newburgh* continuing resolute, not to allow them Quarters in any of his Countries.

WE hear nothing of M. *de Turenne* since our last, only it is said, Part of his Army are advanc'd as far as the *Moselle*, and that they have retaken *Bernes-Cassell*, a Passage upon the River, which the *Imperialists* had possess'd themselves of: As to M. *de Luxemburgh*, your Lordship will please to see the Condition his Troops are in on that Side, by his Letter of the 24*th* Instant to the *French* Ambassadors, a Copy whereof we take Leave to send inclosed. We are, &c.

To

To the Earl of *Arlington.*

Cologn 21 Novem. / 1 Decem. 1673.

My Lord,

WE were in Hopes when we writ our laſt to your Lordſhip, which was of the 18/28 *th* by the Ordinary, a Duplicate whereof goes herewith incloſed, to give your Lordſhip by this Ordinary, a perfect Account of what the Mediators would reſolve to anſwer to the Letter which the *Dutch* Ambaſſadors had writ to them, touching a Paſſage in my Lord Chancellor's Speech in Parliament, and touching a kind of Declaration, which the Mediators are pretended to have made heretofore, (as their Maſter's Senſe as well as their own) againſt his Majeſty's Dominion in the *Britiſh* Seas; but the Mediators have not, according to the Hopes they had once given us, imparted to us their Reſolutions, how they intended to anſwer that captious Letter: We waited on their Excellencies on *Wedneſday* in the Evening, at their Houſe, but found them not yet come to a Reſolution in that Affair; only upon that Occaſion they were pleaſed to ſhew us two Letters, the one (a very ſhort one) that they had ſent ſome Hours before to the *Dutch* Ambaſſadors, intending, according to Aſſignation, to follow it, as ſoon as we ſhould happen to be gone: The other was a longer Letter, which they had prepared as a full Anſwer to the *Dutch* Ambaſſadors Letter, if they ſhould ſee Cauſe to give it in: The ſhort Letter already ſent away, contain'd no more but their Excellencies Requeſt, that the *Dutch* Ambaſſadors would pleaſe not to demand from them, the Mediators, any Account or Explication, in ſuch Things as might *aigrir les Eſprits*, and yet contribute nothing to the Advancement of the Peace; they, the Mediators, profeſſing, it was their Buſineſs, and hitherto had been their Endeavour, to ſweeten all Applications, and to remove all Obſtacles, as much as they were able, and that they, as Mediators, will ſtill continue ſo doing. The longer Letter, which we were (in Confidence) allowed to read over, begun with ſaying —— It was hard to demand from them, the Mediators, an Account of a Print, that was in no wiſe authentick, and to anſwer upon a Speech that had been diverſly tranſlated, upon which Diverſity they (not underſtanding the *Engliſh* Tongue) were not able to make any Judgment; yet they perceived, as they ſaid, that the Tranſlations all of them ſeemed to point at certain *Relâchements* which his Majeſty had made from his firſt Demands; but not at all at his Majeſty's Propoſition which he would have accorded to him as Conditions of the Peace, the Judgment of the Mediators being pretended to favour thoſe Condeſcenſions, but not at all to have been declared upon thoſe Propoſitions. In this Letter, they, the Mediators, do acknowledge, they had expreſs'd very much of Reſpect and Applauſe to his Majeſty's condeſcending to quit his Demand of Cautionary Towns; and they do add, that whenever it ſhall pleaſe the *Dutch* to make an Advance of that kind on their Parts toward the Peace, they, the Mediators, will not fail to do them that Right, as to commend and applaud them highly for ſo doing: This was the Effect of their Anſwer upon this Point, as far as we are able to recollect their Senſe and Scope, for we dare not (upon once reading) undertake to give your Lordſhip an Account of the Words of their Letter.

HERE having first acknowledged, with all humble Thanks, their Justice in bearing Witness to that Truth, of their having upon his Majesty's Abatements applauded his Princely Generosity, and his Propensions to a Peace; we did crave Leave to observe to their Excellencies, that their Letter mention'd but one particular Instance of his Majesty's Condescensions, *viz.* that of forbearing to press for Cautionary Towns, whereas his Majesty had made several from Time to Time: We named that great one in the Prince of *Orange's* Case, that Article, before his Majesty had moderated it, having appear'd to their Excellencies a Matter of great Difficulty, and likely to shock very much a considerable Party in *Holland*: So that their Excellencies instancing in one Step or Degree of Condescension only, would seem tacitly to imply, that his Majesty had made no more in the Course of this Negotiation; therefore that it was our humble Suit to them, that they would be pleas'd either to enumerate all the Particulars of his Majesty's Condescensions, or else so to comprise them in one general Word, as might imply, he had from Time to Time come to several such *Relâchements*, as had obliged their Excellencies in Justice to declare themselves very highly satisfied with the Sincerity and Frankness of his Majesty's Proceedings, in order to come to a general Peace.

BEING let into this Discourse, we took Leave to tell them further, that the Refusal which the *Dutch* had made to his Majesty's Condescensions, might be put somewhat closer to the *Dutch* Ambassadors, for the justifying of my Lord Chancellor's very Words out of the Matter of Fact itself with great Truth, and (as we hoped) without any Offence: For we could not choose but mind their Excellencies, as we told them, that we had given in his Majesty's Demands in *June*, and that we had no manner of Answer to them, but that invective Letter (of the 15*th* of *August*) to their Excellencies, which was written soon after the Return of Messieurs *Beverning* and *Haren* from the *Hague*. That notwithstanding all the Insolencies of that Letter, we had in our Master's Name, and by his Order, deposited with their Excellencies, our further Abatements, in Hopes and Expectation to bring them, the *Dutch*, off from the Indecencies and Unreasonableness of that their first Answer; but that all the Return we had received from their Excellencies was, that the *Dutch* Ambassadors did declare, they had express Orders from their Masters, not to make any further Steps or Offers, till the two Kings and their Allies should come yet lower, than they had hitherto declared themselves, in their Demands: So that his Majesty having, at the Instance of their Excellencies the Mediators, come to yet further Condescensions, and those Condescensions having been communicated by the Mediators to the *Dutch*, in order to prevent their taking Measures for a long War, and to evidence the Propensions of the two Kings, (of our Master especially, who was acknowledged to be still leading by his Example) to an Accommodation upon reasonable Terms: That the Mediators found them, the *Dutch* Ambassadors, still more and more *fier* and untractable; and notwithstanding all the Prospect they, the Mediators, gave them, of still greater Abatements that the two Kings would yet come to, yet they, the *Dutch*, kept to their Resolutions of not making any further Offers or Advances in what concerns his Majesty to this Day: And this Conduct of theirs in *August*, *September*, and *October*, might (as we humbly conceived) be very justly pronounced an absolute Refusal of corresponding with his Majesty in his Condescensions; their Excellencies, the Mediators, not only censuring and condemning them from Time to Time, of an intolerable

rable Height, Arrogance, and Obſtinacy in their Conduct, but their Anſwer (of the 27*th* of *September*) to the Mediators upon his Majeſty's principal Points, ſhewing moſt evidently, that they adhered ſtill to the Reſolutions of making no new Offers or Approaches upon his Majeſty's Condeſcenſions. Their Excellencies, the Mediators, having not been ſucceſsful enough, either upon the giving in to them of our *Ultimatum*, or their demanding from them a Categorical Anſwer in our Name, to draw from them any Explication that was more ſatisfactory, or leſs offenſive than that Invective of the 15*th* of *Auguſt*.

To this the Mediators were pleaſed to give us a fair Hearing, and not to diſavow any Thing we had urg'd to them, in Matter of Fact; the Anſwer they gave us was, that they were preſently to go to the *Dutch* Ambaſſadors, and would diſcourſe with them fully theſe Particulars, and would afterwards communicate with us upon any Alteration they ſhould ſee Cauſe to make in the Letter then before us, before they did give it in to the *Dutch* Ambaſſadors: We perceived plainly enough that the Mediators will (if it be left to their Choice) diſembarraſs themſelves rather by Diſcourſe than by Writing, out of this captious Subject; and M. *Beverning* has told them, upon ſome Skirmiſhes they had already had about the Captiouſneſs of the *Dutch* Letter, that he, for his Part, would be content with any Anſwer they ſhould give it, which we are apt to think gave them Encouragement to write the little Letter abovementioned. To the other Point, of their long Letter concerning his Majeſty's Dominion in the *Britiſh* Seas, they anſwer no more, but that they had upon this Occaſion review'd their Inſtructions, and had found nothing in them of their Maſter's Senſe tending to any ſuch Purpoſe as is charged upon them; ſo that they muſt have neceſſarily therein committed an Error themſelves, or elſe have been miſunderſtood by ſuch as they diſcourſed with upon that Subject: They ſay further, they had been very earneſt both with one Party and with the other, not to uſe or contend for any Expreſſions that might bring in either Novelties or Difficulties in the Debate of this Point, or to that Effect: They cloſe the Letter with a Requeſt to the *Dutch* Ambaſſadors, that for the future, when they happen to have any Things intricate or difficult of this Nature to put to them, the Mediators, they, the *Dutch* Ambaſſadors, would be pleaſed to take the Pains firſt to ſpeak and debate with them by way of Conference, that the Matter of Fact may by this means be agreed between them, and one Party may not come to deny that, that the other affirms to be Matter of Fact in ſuch Diſputes.

One Thing the Mediators let fall in this Converſation, which may give your Lordſhip a Reflexion of what is to be done at the winding up of this Bottom, in order to have our Maſter's Sincerity and Endeavours for a Peace made out to the World: They told us, it was an Article expreſs in their Inſtructions, that they ſhould not take upon them to give any Act, Teſtimony, or Judgment, in Favour of the one or the other Patty, their Orders were to reduce all their Proceedings into Original Narrative or *Protocolle* (as they call'd it), and to return that Original or Series of their Proceedings into the Hands of the King their Maſter, he having reſerved to himſelf alone the giving of Judgment in the Matter, which Judgment (as they ſaid) would be in all Probability, a Declaration of War againſt that Party that he ſhould find in the wrong.

We had an Opportunity of waiting yeſterday upon the Mediators, and we hoped to have ſome Account of what had paſt between them and

and the *Dutch* Ambassadors; but they not letting themselves into any Discourse upon that Subject, we thought it not fit for us to press for that Communication (which they were under a Promise to give us) before themselves judg'd it seasonable.

Monsieur *de Lysola* went yesterday Morning to the Head Quarters of the *Imperial* Army, which are about *Juliers*. The Duke of *Newburgh*'s Minister here had an Intimation given him, that the M. *de Bournonville* did desire the Duke would please to give his Consent, that the *Imperial* Army do take up their Winter Quarters in his Country; and that tho' he should refuse it, they should be forced to take them against his Consent.

All that we have of the Prince of *Orange* is, that he and the *Spaniards* are marched towards the *Meuse*; M. *de Luxemburgh* is about *Rhineberg*, and as the *French* Ambassadors assure themselves, 25000 effective Men: Monsieur *de Louvoy* writes, that it is not their meaning at Court, that the *Imperialists* shall be left at Liberty to take up Winter Quarters thus early, or to enjoy those they are in, without Disturbance from the *French* Troops now in *Campaign*: So that we are bid to expect some Action, as late as it is in the Year.

We heard nothing since our last of the Proposals for the Elector's separate Accommodation, only we find, that M. *de Lysola* still tampers with him: Nor are the *French* satisfied with the Orders, that some about him had given to *Lichnick* and *Kerpen*; which were, it seems, not to shoot against the Emperor's Forces, upon Presumption that the Elector is not to be reputed in Hostility against him; and not to receive any *French* into those Garrisons, who would have defended them, had they been received. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{1 \text{ Decem.}}{21 \text{ Novem.}}$ 1673.

My Lord,

THE Express Mr. *Barre* setting out hence for *England*, the same Hour with the Ordinary of this Day; we shall humbly take Leave to refer ourselves to those Acknowledgments we make by him, of the Honour of your Lordship's of the 14*th* of *November*, O. S. by the Ordinary, and of the 17*th* by M. *Smith* the Express, who arrived here yesterday in the Forenoon: We shall not further enlarge to your Lordship's Trouble with this Conveyance, than to assure your Lordship that we are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{25 \text{ Novem.}}{5 \text{ Decem.}}$ 1673.

My Lord,

THE last we presumed to trouble your Lordship with, was of the $\frac{21 \text{ Novem.}}{1 \text{ Decem.}}$, a Duplicate whereof goes herewith, as likewise of our several Dispatches since that of the $\frac{7}{17}$ of *November*, by M. *Petit*, viz. of the $\frac{11}{21}$, $\frac{14}{24}$ and $\frac{18}{28}$, which, according to the Liberty your Lordship has pleased to encourage us to take, during this Winter Season, and the great

great Inſecurities of the Paſſage, we have preſum'd to ſend Expreſs by the Bearer Mr. *Barré*.

Yesterday in the Forenoon, arrived here Mr. *Smith*, with the Honour of your Lordſhip's of the 17*th* of *November*, incloſing a double of that of the 14*th*, and of the conſiderable Abatements his Majeſty hath thought fit, by his additional Inſtruction or Letter, of the 14*th* of *November*, to direct us yet further to make in his Demands, in Caſe the Peace cannot otherwiſe be obtained: We had already received the Original by the Ordinary Poſt the Day before, and ſhall take care (God willing) ſo ſoon as the Negotiation is open, and that the Matter of the Treaty comes to be reſumed again, to govern ourſelves in the Execution of thoſe Points, with all the Skill and Circumſpection we are able; ſo as to make the beſt Bargain for his Majeſty upon every one of thoſe Articles, that we ſhall find the Conjuncture will poſſibly bear; moſt humbly beſeeching the Countenance of his Majeſty's Grace, to pardon all our Failings in this great and weighty Affair; and that he will pleaſe to forgive us, if we have the Misfortune to fall ſhort in any of thoſe Points of what his Majeſty might, with ſo much Reaſon, have promiſed himſelf from the great Moderation and Condeſcentions he hath uſed in this Treaty, from every other Adverſary, but that obſtinate perverſe People he has to deal with: For the preſent, we do not ſee what can be done in any Part of our Negotiation; the *Dutch* Ambaſſadors, as your Lordſhip will have ſeen in our late Diſpatches, continuing moſt reſolute and peremptory, not to treat or negotiate upon any Matter whatſoever, till they have firſt received Satisfaction as to the Point of the Duke of *Lorain*'s being admitted, as a principal, into the Negotiation, and that Paſſes be granted for his Miniſters to repair hither accordingly. This is the Anſwer they return to the Mediators, upon whatever Overtures or Propoſitions they have at any time Occaſion to make to them, as particularly to that of the general Project, given in ſome Time ſince by the Mediators, and that freſher one of a general Suſpenſion, as your Lordſhip will have ſeen by their Paper of the $\frac{7}{17}$*th November*. And even as to the Temperament and Moderation, the Mediators have now lately propoſed on the Part of the Moſt Chriſtian King, in the Buſineſs of *Lorain*, the ten Towns of *Alſace*, and the Fiefs of the Biſheprick of *Metz*; (which are the main Points inſiſted on by the Emperor,) *viz.* that they ſhall be referr'd, by an expreſs Article of the intended Treaty, to the Deciſion of certain Arbitrators, to be named in that Article; the *Dutch*, without ſaying any Thing as to the Matter of that Overture or Expedient, how far they would, when the Matter comes to be treated on, reſt ſatisfied with that Condeſcenſion of the Moſt Chriſtian King, or not, have anſwered moſt peremptorily, that till their other Ally, the Duke of *Lorain*, be admitted as a Principal into this Negotiation, and that Paſſes be granted to his Miniſters to repair hither accordingly, they cannot, they will not hearken to treat of that, or any other Point whatſoever in any Kind relating to the Peace, or the Negotiation now on Foot; ſo as, notwithſtanding thoſe Condeſcenſions of the Moſt Chriſtian King, which your Lordſhip mentions to have concurr'd to encline his Majeſty to make theſe laſt conſiderable Abatements on his Part, and which, as your Lordſhip will have ſeen by ſome of our late Diſpatches, had already been declared to the *Dutch* Ambaſſadors by the Mediators, on the Part of the Moſt Chriſtian King, the Negotiation is ſtill at a Stand, and ſo like finally to continue, for any Thing we can ſee, till that invincible Obſtacle, of receiving the Duke of *Lorain* in as a Principal into the Negotiation, be in ſome Sort or other removed. And

this we find to be the Opinion of the Mediators in the Matter, who tell us, they do therefore continue again and again to press the *French* Ambassadors, that the King their Master will please to think of condescending, even in that Circumstance also; especially the Thing being little more than a Punctilio of Honour, and such a one, as they, the Mediators, doubt, whether the World will think it altogether fair and reasonable finally to insist upon, where the whole Face of the Peace is made to depend upon it: This is the great Obstacle at which the Negotiation now sticks, and however it be evident enough this Point of bringing in of the Duke of *Lorain* as a Principal into the Assembly, is a Difficulty industriously sought out by the *Dutch* and their Confederates, on Purpose to embarrass the Treaty; yet they conclude the thing will be found to carry so fair an Appearance of Reason with it, that they shall be justified toward the World, not to proceed further in the Negotiation, till this be granted them; especially considering two other of their Allies, *viz.* the Emperor and the King of *Spain*, have not at all been excepted against, as to their entring as Principals into the Negotiation; so that the Degree that the Mediators have in the Plan they have laid down, for the making this Peace, expresly provided for those two Parties, even in certain of their Interests wholly foreign to this War, and that have not the least Connexion with it, or any Thing that relates to it; and they presume the World will judge, there is the same Reason for the Duke of *Lorain*, being a Sovereign Prince, and in the same Alliance with them.

In our last your Lordship will have received an Account among other Things, of the Answer the Mediators were framing to that Letter, the *Dutch* Ambassadors had written them of the 21*st* of *November*, upon Occasion of some Passages in my late Lord Chancellor's Speech to the two Houses, at the Meeting of the Parliament the $\frac{20}{30}$*th* of *October*: It seems a Day or two afterwards, the Mediators having alter'd it in that Clause we excepted against, and so left it general, that they had in the Course of the Negotiation found Cause to applaud his Majesty's Condescensions, *&c.* without instancing the Particulars; they have been with the *Dutch* Ambassadors about it, and having delivered them the Substance of the Paper, by Word of Mouth, as their Answer to the said Letter, they offer'd the *Dutch* Ambassadors to leave it with them in Writing, if they should desire it: To which *Beverning* answer'd, that it was all one to them, they were as well satisfied to have it verbally from them, in the Manner they had already declared it; that what they had done in Writing that Letter, was by particular Command of their Masters, and so producing their Original Orders, seemed as if he had a Mind to excuse what they had done in the Thing, and so that Matter we think is over; and the *Dutch* having found they could not draw such an Answer from the Mediators in it, as it is likely they at first hoped, seem now content to let it fall.

Thursday last, the Baron *de Lysola*, and *Don Emanuel de Lyra*, (as we told your Lordship in ours of the next Day) went to the Camp, to confer, as was supposed, with the Duke *de Bournonville*, as well upon what further Measures the Confederate Armies are to take, as particularly upon the Business of this Elector's separate Accommodation: It seemed the Prince of *Orange* was already marched away towards the *Maes*, on his Way homewards, so as they did not see him; *Saturday* Night they returned, and having had a Conference with the Deputies of the Chapter the next Day, as to the Business of the Elector's Accommodation, the Baron *de Lysola*, in the first Place, absolutely refused the

the Conditions they had some Days before proposed in the Name of the Chapter, as Mediators between the Emperor and the Elector their Prince; of which we gave your Lordship an Account in one of our late Dispatches, and added, that he saw well Prince *William* of *Furstemburgh* had found ways to make himself Master of the Chapter, and of all their Judgments; that since this way of Negotiation was not like ever to succeed, they would for the future take another; intimating, that he and the Cardinal *de Baden* are resolved thenceforwards to apply themselves directly to the Elector himself. But we do not find by Prince *William*, there is any great Fear of that; on the contrary, the Elector himself finding the Affair has been so dextrously handled, between the Chapter and the States, seems to judge he has Reason in the Propositions made on his Part; and that, on the other Hand, M. *de Luxemburgh* begins now to advance for his Succour, takes Heart again, and (as we are told) is now so well confirmed and settled, as that there is no further Fear of him.

Thursday the Prince of *Orange* parted from the *Imperialists* near *Leichneich*, taking his Way with the whole Body (as we are informed) of his own Troops, and those of the Count *de Monterey*'s, where Mr. *Smith* the Express found him passing his Troops over the *Maes* on *Sunday* Morning. We are assured from all Hands, he is gone away much dissatisfied with the *Imperialists*, as well with *Montecuculi*, as with the D. *de Bournonville*; and a certain Person we have gained an Interest in near the Baron *de Lysola*, tells us, the Prince was heard to say at his parting from the D. *de Bournonville*, —— *Ils seront bien fins si jamais ils m'attrappent plus avec les Imperialists*. ——— In the mean time M. *de Luxemburgh* is marching, having crossed the Country from *Rhynberg* towards *Ercleand*, with Design, as is supposed, if possible to have a Blow at the Prince of *Orange* in his Return; or if that fail, to try what Advantage may be taken upon the *Imperialists* that remain behind: This March of the *French* Troops revive extreamly this Elector and his Ministers, and if they are near that Number they are said to be, *viz.* 26 or 28000 Men, 'tis concluded they will very much embarrass the *Imperialists*, especially now that the *Dutch* and *Spanish* Bodies have left them. As to M. *de Turenne*, we have nothing of Certainty of him since our last: The News from the *Imperial* Side is, that he has been obliged to raise the Siege from before *Bernes Cassel*, a small Town upon the *Moselle*, and it is said, he is marching further up toward *Lorain*, as if he meant to take up his Winter Quarters in those Parts: Others believe, in case it be true he marches that Way, that it is with Design to come round behind *Treves*, on that Side the *Moselle*, as far as he can, and so to joyn with M. *de Luxemburgh*; but all this is but Conjecture.

The *Imperialists* continue much about where they were by our last, the general Quarters are within half an Hour of *Leichneich*, four or five Hours hence, and the rest of the Army spread up and down as they can in the upper Part of this Electorate, and in the Country of *Juliers*, where the Quarters begin to grow very bare and thin; so as they continue to press the Duke of *Newburgh* to consent, that they may enlarge them into his Countries, as well in *Juliers*, as in the Country of *Berg* on the other Side of the Water: Hitherto the Duke has refused his Consent, answering the D. *de Bournonville*, that he knows he has it in his Power to take Quarters in his Countries, if he pleases, by Force, and so he may; but that he, the Duke, cannot give his Consent to it: And M. *Stradtsman*, who returned from *Dusseldorp*

last Night, assures us, the Duke is resolved to make no other Answer in the Matter, and to leave it to the *Imperialists* to do it afterwards by Force, if they think fit.

FROM *Dresden* they write, that the Troops raised by the Elector of *Saxe*, for the Service of the Emperor, having been some Days on their Way to joyn the Army in these Parts, had of a sudden been countermanded; as have been also the Troops of the Circle of *Franconia*, the last of which parted from the *Imperial* Army in this Country 4 Days since. On the other Hand, the Count *Tott* tells us, they have 20 Regiments of Foot in *Pomerania*, ready to advance under Marshal *Helmfelt*, towards their Dutchy of *Bremen*, in order to joyn with the Troops they have already in that Country.

THE News of the King of *Poland's* Death being confirmed, immediately Prince *Charles* of *Lorain* is said to have left the Army, and to have taken Post for *Vienna*, thinking the Game lies fair for him, to pretend to the Succession of the Crown, with a Condition towards the Emperor, of marrying the Widow Queen. Which, if it takes Effect, is look'd upon as a considerable Advantage to the Interest of the House of *Austria* in this Conjuncture. We are, *&c.*

To the Earl of *Arlington*.

Cologn 28 Novem- / 8 Decem- 1673.

MY LORD,

THE last that we had the Honour to write to your Lordship, was of the 25 Novem- / 5 Decem. by Mr. *Barre* the Express, a Duplicate whereof goes herewith inclosed; there hath nothing since occur'd to us that relates to the Negotiation here, unless it be that the Mediators do daily, and upon all Occasions, repeat their Complaints, (as two of them did yesterday with some Emphasis) that the Treaty is made to stick insuperably upon the Point of Passports for the *Lorain* Ministers: The *Dutch* Ambassadors, as the Mediators tell us, declaring themselves more and more positively, that they will never enter into Matter, till the Duke of *Lorain* be admitted Party principal, as fully and freely as any of the other Allies of either Side are. The Mediators, as often as they make this Complaint, are told, that this is a Pretext affectedly sought out, and laid hold on by the *Dutch*; and that if this were taken away, they would be sure to have Recourse to some other, that should give them a Colour to continue the present Interruption they have made in the Treaty; this the Mediators do allow may not improbably be the Case; yet they cannot, they say, easily imagine, the *Dutch* will be able to find out a Pretext so plausible for their turn as this is; in Regard the Duke of *Lorain* being neither a Subject nor Rebel to the Most Christian King, but a Sovereign Prince, undoubtedly as capable to enter into League with the *Dutch*, as they are to receive him or any other, hath, by the Law of Nations, a Title to be heard, and (if it be not his own Fault) to be included in the Treaty, as any of their other Allies; and since the *French* are not unwilling to hearken to Overtures of Accommodation with the Emperor and *Spain*, in all Pretensions depending between them, even those foreign to this present War; they, the Mediators, are not so well satisfied with those Arguments, which the *French* Ambassadors do use, (from the Point of Honour, and from the Exclusion of the Duke of *Lorain* in the Treaty of *Munster*, as also from the Manner

Manner he was included in the Treaty of the *Pyrrhenées*) against the admitting of him to the same Capacity of treating in this Peace, as others that are Parties to the War are in: It being scarce possible, this Peace should be safe or lasting, much less universal, unless all the Parties that are now in War, be taken in and brought to an Acquiescence (at leastwise in what shall be agreed and concluded): This is the Reason the *Dutch* do give, of their not answering upon the Point of a general Cessation, which is a Thing the Mediators have pressed with Warmth and Concern. As for the *Tiers* Party, we hear no more of any Progress made in the forming of it, than that we have given your Lordship an Account of in some of our late Dispatches: Only we perceive a Minister is expected here from the Elector of *Bavaria*, who may, when he comes, contribute very considerably for the carrying on of this Affair; which now the *French* Ambassadors are better convinced of may be a Countenance and Advantage to the present Treaty.

We hear no more (than what we took Leave to give an Account of in our last) of this Elector; we find it taken for granted on all Hands, and written by the Nuncio here to *Rome*, that the Elector sticks close to the Interest of *France*, and that all Proposals that have been hitherto made for his separate Accommodation, have proved ineffectual: But we find Prince *William* of *Furstemburgh* harping very much of late upon a new Model and Concert, to be entered into by the whole Alliance, in case they be forced to carry on the War this next Summer: This Model (as he projects it) is to have so far a Retrospect to what is already past, that this Elector, (for instance) who hath suffer'd so deeply for want of those seasonable Succours, which ought reasonably, and might easily (as Prince *William* supposes) have prevented his falling into the present Distresses, shall have Reparation of Damages from the Most Christian King, by way of an additional Subsidy during the Continuance of the War, in some proportion to what he hath suffer'd, for want of a just and timely Care of him: The other Part of the Model is, that for the future the Arms of the Allies shall so act by common Councils and Consent, that their first Business shall be to preserve the several Allies from Danger and Ruin: The next, that the Arms of the Most Christian King shall so move and act, that his Allies may be sure of a Share in such Advantages as they make, in proportion to their Hazard and Expence; and that those Attempts which are to be made for Advantages upon the Enemy, shall be in some Degree concerted beforehand with the Allies. We must confess, we apprehend this last Part to be very full of Difficulties, if at all practicable, there being so many Accidents and Disappointments in the Course of a War, and sometimes such Necessities, and very often such just Reasons to vary from the first Measures and Councils, that nothing seems more inconvenient than to be tied to one Scheme or Plan of acting: However, we have thought it our Duty to mention this to your Lordship, not so much because we find Prince *William* frequently upon this Motion, as that we conceive the Project itself to proceed from the Judgment he makes, of the manner of projecting and carrying on Affairs in the *French* Councils of War; for he never fails to remark in these Discourses the many great Advantages this Elector and the Bishop of *Munster* have lost, as also the several Inconveniencies (besides that great one the Elector is now under) that the two Bishops have been expos'd to, since the Beginning of this War, for want of being heard in the *French* Court, and consider'd in the Council of War, in propor-

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tion to what they have hazarded, done, and suffer'd for the common Cause.

This being communicated to us in the utmost Confidence by Prince *William*, we take Leave to lay before your Lordship with this most humble Suit, that his Name may not in the least be mentioned, if there should be Cause to make any Reflexions upon his Sense and Judgment; for besides that his Fortune wholly depends upon his being well in that Court, we must do him that Right, that he is the furthest possible from making any Complaint, or discovering any the least Doubt of the Most Christian King's Justice and Generosity for these Allies; he is always full of Veneration for the King, his Complaints and Fears are of some of the Ministers; and we gave your Lordship, in some of our late Dispatches, a Part of that Conviction we have, from the Sight he gave us of an Original Letter of M. *de Louvoy*'s to himself, that the Advices of Prince *William*, and the Interests of these Allies, are more neglected than they ought to be, considering the Capacities of the one, and the Consequences of the other.

The Bridge which was shatter'd by the Ice that swam down the *Rhine* about 10 Days ago, is now repaired; but it is not thought the *Imperial* Troops will pass the other Side so soon: The D. *de Bournonville* having now taken the Alarm, that the *French* are upon the Wing, and having written to M. *de Grana*, that he is gathering his Troops together to find them out and fight them; it is probable the *Imperialists* will endeavour to fix themselves in the Country of *Liege*, where they will be disturb'd in their Design, M. *de Turenne* being posted upon the *Sarr*, and about *Treves*, will quickly reach them through the Country of *Lutzemburg*. Here is a Buz in Town, as if there had been some Rencounter between the Troops of the Emperor, and the *French* in this Country, but we cannot find any Certainty of it. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{1}{11}$*th Decem.* 1673.

My Lord,

Our last to your Lordship, was by the Ordinary of the $\frac{8\ December}{28\ November}$ a double of which we take Leave to send here inclosed; since which, nothing hath happened of any kind relating to our Negotiation; and by all that we can judge, the whole Matter of the Treaty (as we have acquainted your Lordship in all our late Dispatches) is absolutely and finally at a stand, at the Point of receiving the Duke of *Lorain* as a Principal into the Negotiation; so as till that be removed one way or other, there is no Hope of making one Step forward in any Thing relating to the Treaty; and this we presume humbly to lay before your Lordship, as the Thing that is to be first considered of, in order to what his Majesty seems to aim at, a speedy Peace, (if it may be had) or a notorious Conviction towards the World Abroad, and our own People at Home, of the unsufferable Obstinacy and Perverseness of the *Dutch*, in case they shall refuse the Peace when offer'd upon those last great and unexpected Abatements, his Majesty has been pleased to lodge in our Hands: We are not wanting at every turn to harrass the *French* Ambassadors upon this Point, as a Thing we find the Mediators of Opinion will turn at last to our Disadvantage, and that the World will certainly judge, we had not Reason to lose the Peace upon: But we

we perceive it is a Point they are not otherwise instructed in; and that therefore what is to be done in it, is to be done at the Court, and with the King, and his Ministers.

In the mean Time, we observe the Mediators greatest Expectations, till the Season of Action comes on, when they tell us they will certainly put themselves into a Condition to make good all their Obligations towards the Alliance, their Expectations are much upon the *Tiers*-Party, intended in the Empire; in Order to which, we are told, the Treaty between the Crown of *Sweden* and the Elector of *Brandenburgh*, which it is supposed, these two Princes design, as the Model and Foundation of that whole Alliance, is already finished; and that it was sign'd at *Berlin*, *Monday* 24 Novem-/4 Decem- This M. *Schwerin* told us this Afternoon, out of his Letters of the 26 Novem-/6 Decem from that Court; but does not yet own to know the Particulars of the Treaty, which, we hope, we may however be able to learn by the next from him, or from the Mediators, who are in daily Expectation of a distinct Account of that Matter from their Ministers in that Court.

The Minister from the Elector of *Bavaria*, who, we told your Lordship some Time since, was on his Way hither upon that Errand, is, as we are told, expected in Town this Night or to Morrow: It has been generally all along judg'd, that the first Thing the *Tiers*-Party would do, when assembled, would be to form and propose such Projects of Conditions to the respective Parties, as they should judge fair and reasonable, for each finally to acquiesce in; and that we find is still judg'd will be their first and great Business: In Order to this, we perceive by the *French* Ambassadors, the Count *Tott*, who is very zealous in all this Matter, has had these last two or three Days a Notion with himself, of framing a Paper, or Memorial, which should contain the first general Scketch or Plan of the Alliance, intended between the several Members of this *Tiers*-Party; that this Paper, when form'd by him, should privately be put into the Hands of Monsieur *Stradtsman*, the Duke of *Newburgh*'s Minister, to be brought afterwards, as the Thought and Opinion of the Duke his Master (who is one of the first Contrivers of this whole Business of the *Tiers*-Party) to the Mediators, and so to be by them handed forward to the rest of the Parties in that intended Alliance; which coming in Appearance from so indifferent a Hand, as that of the Duke of *Newburgh*'s, it's hoped the rest of that Alliance would with less Difficulty give into it. The principal Points, he, the Count, proposes to form that Plan upon are:

1. That there shall be a general defensive Alliance between the Parties, against all that shall pretend to take Quarters or pass through any of their Countries within the Empire, otherwise than according to the Constitutions of the Empire, *&c.*

2. That considering the present War between the two Kings and the States General, had likewise drawn in the Emperor and the King of *Spain*; that the Allies should agree upon certain Projects to be offer'd to the Parties respectively, for their final Satisfaction; which, if refus'd on the Parts of the two Kings, then the *Tiers*-Party to leave the War as it is, to take its own Course, without pretending to hinder the Emperor from continuing his Assistance to the *Hollanders*, as an Ally in it; they, the *Tiers*-Party, to remain however in that Case, in the above-mentioned Condition of a defensive Alliance. In Case that Project happen to be refused on the Part of the *Hollanders* and their Confederates, then the Emperor to be applied to, to quit the Party, and so the *Hollanders* and the King of *Spain* to be left to prosecute the War,

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in Case they shall think fit; which, if the Emperor shall refuse to do, then this *Tiers*-Party to proceed to act even against the Emperor, and whoever else shall joyn with him in the Assistance of the *Hollanders*, in Conformity to the Treaties of *Westphalia*: And this Action to be thenceforward concerted among the Allies, in the same Manner as is agreed to be done between *France* and *Sweden*, by the last Treaty.

3. And lastly, to take away any Jealousy *Denmark* might have, to see *Sweden* in the Head of so considerable an Alliance, and even to engage, if it were possible, that Crown into the Party, at least to bring it to remain in a Neutrality, as to the Purposes of his Confederation; it is proposed, that the Parties do enter into a solemn and express Warrantry towards the Crown of *Denmark* of the Treaty of *Copenhagen*, between that Crown and *Sweden*; which it's hoped may be able, in some Measure, to satisfy that King, and to keep him from taking any contrary Engagements: These, as near as we can remember, are the principal Conditions proposed, upon which to form that Alliance.

And tho' this Design of the Count *Tott*'s, to have this Plan thus privately put into the Duke of *Newburgh*'s Hand, be but his particular Thought and Project, and even without the Communication of his Collegues, out of the Zeal he has to see that Matter forthwith set on Work, yet it is concluded, the Conditions he mentions are the same he and his Collegues have otherwise projected, as the general Matter of the Confederation intended.

We were in some Expectation, as your Lordship will have seen at the Writing of our last, that some Action might have happened between the *Imperialists* and M. *de Luxemburgh*; but it seems the Prince of *Orange* being passed out of their Reach, the next Design the *French* had was, to make their Way through the Country up towards the Bishoprick of *Liege*; as well to be in pass to joyn M. *de Turenne* on all Occasions, as more particularly, to cover the Town and Country of *Liege* against the Design the *Spaniards* and the Prince of *Orange* were suspected to have, of taking up part of their Quarters in those Parts; and in Time possibly of making themselves Masters of the Town of *Liege*, as a Post of mighty Consequence, to all the Purposes of the War, the next Campaign. This, it seems, the *Imperialists* were not unaware of, and therefore immediately, upon the first News of Monsieur *de Luxemburgh*'s March, the Duke *de Bournonville* having order'd all the Artillery, and the greatest Part of the Baggage to *Bonne*, and leaving the Foot to secure the Quarter, and that Part of the Baggage that remained there, advanced himself with all the Horse, being, as is generally reported, about 15 or 16 thousand, in what Diligence he could toward the *Roer*, in Hopes to be able to cut off the *French* in their Passage over that River; which, considering how much the *Imperialists* would in that Case have overpower'd them in Horse, was look'd upon as a very probable Design: But they found the *French* had prevented them; for having already passed the River near *Limick*, they continued their Rout in so close and so regular a March, that with all the Horse the *Imperialists* had, they did not think fit to venture upon them; but immediately returned to the Quarter near *Lichnick*. The two *French* Armies being thus posted, to joyn or reinforce each other, as they shall at any Time see Cause, the Season of the Year being now far advanced, and all Hopes being now laid aside of attempting any thing further upon the Places of Strength in the Electorate, the *Imperialists* are now passing into their Winter Quarters: *Sporke*, with Part of the Horse, is order'd into the Dutchy of *Westphalia*, and the Bishoprick of *Paderborne*; and another

Part

Part of the Cavalry under the Prince of *Lorain*, is said to pass over into the County of *Nassaw*, and the neighbouring Parts of the *Wetteravia*; 3000 will be left, they say, in the upper Part of this Electorate, under the Duke of *Lorain*: In Order to these Marches, the *Imperialists* have put up their Bridge at *Bonne*, and sent to the Duke of *Newburgh*'s Bailiffs, or Officers of the County of *Berg*, forthwith to repair to *Bonne*, to regulate and adjust the Marches of those their Troops, that are to take their Passage through that Country, pretending they will only desire a Passage through his Country, and that with the best Order and Discipline they can: Whatever become of this Country of *Berg*, in all likelihood that of *Juliers* must be forced to suffer some Part of them all the Winter. However, the Duke has, as we are told, given express Orders all over that Country, that whatever *Imperialist*, *Spaniard*, or *Hollander*, be found raising or demanding any Contribution, that immediately he be treated as an Enemy; and whoever shall be taken burning any House in the Country, the Parties to be immediately apprehended and burnt. And this M. *Stradtsman* tells us, the Duke resolves shall be most punctually executed upon any Part of those Troops that shall be found attempting these kind of Violences. This March of the *Imperialists* into *Westphalia*, is like to give some Trouble to the Bishop of *Munster*; but the Commander *de Smizing* tells us, he is putting his Frontiers into the best Posture he can, to defend themselves; and for his better Encouragement, it seems, there is a Person on the Way towards him from the *French* Court, who it's suppos'd carries him some Satisfaction in the Points we formerly intimated to your Lordship, he appear'd of late to be a little dissatisfied in.

We find upon this late Accident of the King of *Poland*, that as well the *Swedes* as the Elector of *Brandenburgh* begin to be in some Anxiety, apprehending the House of *Austria*, in the Posture Things are at present, may, if not timely provided against, be able to set it very hard in Favour of the Prince of *Lorain*, so as we perceive, as well the *Swedes* Ambassadors as Monsieur *Swerin*, have been with the *French* Ambassadors, to see what joint Measures may be now forthwith taken among these three Princes, for the securing the Succession to that Crown, upon some Prince of their Interest and Dependance. The Duke of *Newburgh*, we find, would willingly enough renew his Pretensions, and they seem as willing to encourage it, in Case it would appear feasible. But the Widow Queen being in the Case, if it shall happen that the *Poles* be brought by the House of *Austria* to make that any Measure in their future Choice, then the Duke of *Newburgh* is, as to his own Person, cut off by that Consideration: And as to the Prince his Son, whom we find they are apt otherwise to hope well for, it's fear'd he would be found too young, as well to make a Husband for the Queen, not being above seventeen, as to make a fit King for that Kingdom, in the Condition their Affairs are; and being upon the Entrance of a great and hazardous War against the *Turk*: So as they do not seem resolved in any of these Courts, what Resolutions yet to take in the Matter: But the *French* Ambassadors say, they have charg'd themselves, at the Instance of the Mediators, and the Ministers of *Brandenburgh* and *Newburgh*, to represent the Thing immediately to the Court, for their Master's Pleasure in it. One Thing is thought to come not unseasonably, as to the might influencing the future Election in Favour to the *French* Interest, and that is, that *Sobieski*, the great General, who is deep in the Interest of *France*, and was known to have been one of the principal Instruments in defeating the Prince of *Lorain* in the last Canvage for that Crown,

will by this late great Victory against the *Turks* near *Choczin*, of which your Lordship will receive herewith a more particular Account, in a Paper apart, be rais'd into so high a Reputation and Interest in the Country during this *Inter-regnum*; that no Doubt he will be able very considerably to influence the Election. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{5}{15}$*th* *Decemb.* 1673.

My Lord,

OUR last that we had the Honour to write to your Lordship, was of the $\frac{2}{12}$*th* Current by the Ordinary, a Duplicate whereof goes herewith inclosed.

On *Wednesday* last, the Mediators desired, and had Audience in form of the *French* Ambassadors; their Business was, to communicate to them a Letter, which the *Dutch* Ambassadors had writ to them, the Mediators, the Day before; a Copy whereof, as it was imparted to us by the *French* Ambassadors, we take leave herewith to inclose.

The *French* Ambassadors tell us, that the positive Answer, and the categorical Resolution which the *Dutch* do in general Terms insist upon in this Letter, as a Repetition of Instances they had formerly made, relates singly to that Point, whether *France* will give Letters of safe Conduct to the Duke of *Lorain*'s Ministers to come hither, and admit him as Party Principal to this Treaty, or not? The Answer that the *French* Ambassadors gave to the Mediators, (as they told us) was to this Effect: 1*st*, That they have no other Orders or Resolutions of their Master's in this Point, than what they had communicated to them, the Mediators, a good while since. 2. That as the Most Christian King had of late, upon several Occasions, declared his Resolution was not to detain *Lorain* from the Duke the Proprietor, any longer than was necessary for the Safety of his Affairs; so he was ready to refer that whole Matter to be adjusted by a fair Arbitrage. 3. That he was willing there should be an Article incerted into this Treaty now on Foot, whereby the Restitution of *Lorain*, pursuant to such an Arbitrage, should be stipulated and secured. 4. That he having refused for four or five Years together, Letters of safe Conduct to the Duke of *Lorain*, for his Ministers to come to the Treaty of *Munster*, he would not come to other Terms with him in this present Treaty; the Duke being every Way now as obnoxious as then he was, and yet not more advantag'd by these present Alliances, than he was by those which interposed for him at *Munster*. This being the Answer, that the *French* Ambassadors gave to the Mediators, we found, in a Conversation since had with M. *Ehrensteen*, that they, the Mediators, are not satisfied with it; but do still bemoan themselves very much of this insuperable Difficulty, they having (as he affirm'd) represented with some Vehemence to the *French* Ambassadors, that it is a Thing the Most Christian King cannot answer to the World, in that he would have all the Hopes and the Means we have for the Peace of Christendom sacrificed to that, which is no more than an imaginary Point of Grandeur and Glory; and that there is no Reason to be given, why he should make so great Difficulty to comply in a Point of Formality (which yet hath the Law of Nations to inforce it), when he doth at the same Time declare, he is ready to execute all that can be reasonably asked concerning *Lorain* in this Treaty. It is true, and the Mediators do acknowledge it, there is much Cause to suspect, that tho' this Difficulty about these Passports were taken away, yet some other Pretext would be found out to keep us off still from entring

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into Matter: Monsieur *Ehrensteen* tells us, (by way of Confidence and Secrecy) that he discoursing with the *Dutch* Ambassadors, since their giving in of this their last Letter, and remarking to them, (according to that Freedom he professes to use towards them in private Conversations) that they, the Mediators, feared this Matter of *Lorain* is an Obstacle they, the *Dutch*, have industriously sought out, and affectedly entertained, in order to keep us all here at a bay, because their Councils at Home are not so perfectly dispos'd for Peace, as were to be wished; and further remonstrating to them, how little Evidence they, the Mediators, had of the Fairness of their Proceedings, whether they consider the Journey they, the *Dutch* Ambassadors, made in *July* to the *Hague*, for their Masters Resolutions upon the Demands of the two Kings, which had no other Effect, but to gain a Month's Time for the better taking of other Measures; or whether they reflect upon the Hopes they gave them, the Mediators, (after their Return from the *Hague*, and after their new Confederations were in part known to the World) that they, the *Dutch* Ambassadors, had a Space of Time yet left, and would for their Parts improve it to come to a Peace; whereas their Application to the Business of the Treaty during that Time, did not shew itself suitable to the Professions they made, and to the Conjuncture they were in, for stopping the Course of the War. All the Answer and the Defence, which the *Dutch* Ambassadors thought fit to make upon these Objections, was, only to blame the Unreasonableness of their Adversaries in their Demands, and to profess in general Terms, they were ready and desirous to make a Peace, but discovered no Sign of their Readiness, by entring into Particulars; contenting themselves with saying, it was the Interest of their Country, since it subsists by Trade, to embrace a Peace, which is their certain Advantage, rather than involve themselves in an expensive, hazardous, long War, as this is.

Besides, M. *de Lyra* is suspected to have provided himself of an Artifice to arrest this Negotiation under the same Delay, in case the present Difficulties about *Lorain* be removed; for in a late Conversation with Count *Tott*, he said with some Coldness, that he hoped the Catholick King his Master deserv'd to be consider'd as much as other Princes have been in this Treaty, and to be sought to with the same Respects and Solemnities, as the Parties that first engaged in the War had been sought to by the King of *Sweden*, to accept of his Offices and Mediation. When Count *Tott* replied to him, that the sending of an Embassy from *Sweden* to *Spain* upon this Occasion, as had been done to the Parties first engaged, would be the Loss of too much Time, every Moment of which is precious, in order to stop the Effusion that is now made of Christian Blood; but that if he thought they, the Mediators, were not sufficiently impower'd, or that the King of *Sweden* had not hitherto so fully (as *Spain* did desire) declared, that he took the Interests of that Crown to be as much his Care and Concern, as the Interests of the other Confederates on both Sides are; the Count doubted not, but his Master would quickly supply all Defects of Formality, and give all Satisfaction possible in that kind, by his Letters and Declarations, without any great Loss of Time: But this did not appear to Count *Tott*, to give that Satisfaction which M. *de Lyra* seemed to expect, as due to the Crown of *Spain* in this Juncture: Yet how indisposed soever that whole Confederacy, or any Part of it, may be to the general Peace, we find it to be the Sense, not only of the Mediators, but of our Allies, and of all discerning Persons here, that it is extreamly to be wished, that the Obstacle (or, as it is reputed here,

the Scandal) of refuſing Paſſports to the Duke of *Lorain*, were once removed, and the *Dutch*, as alſo their Allies, put by this Means to the Teſt, whether they will proceed or not in the Matter of the Treaty, ſince they make very ſolemn Profeſſions by Word of Mouth, upon all Occaſions, and ſince it is plain enough, in their Letters of the 17*th* and 27*th* of *November*, (referr'd to in this their laſt Memorial) that they would have the World believe they are in earneſt, and will enter into Matter as ſoon as ever this Obſtacle is removed. But the *French* Ambaſſadors appearing hitherto out of all Hopes of obtaining theſe Paſſports, and yet at the ſame Time very much convinced, it is a Point too odious to break off the Negotiation upon, we find our Allies, and all others that wiſh well to our Intereſts, in ſome Anxiety, leaſt the *Dutch*, either in the Reply they pretend to make upon his Majeſty's Anſwer to their Letter, or by ſome other Inſinuations, ſhould endeavour to raiſe to themſelves an Advantage, againſt that Belief which the World now hath of his Majeſty's great and exemplary Propenſions for a general Peace, in that he ſuffers himſelf and *Chriſtendom* to loſe the Benefit of the preſent Seaſon for treating; and conſequently, diſcovering to the World, which Party is moſt in earneſt for a Peace, by complying with this Punctilio of the Court of *France*: For tho' we (for our Parts) are paſſive and ſilent (as 'tis our Duty) in this Queſtion, yet we do not ſee what Defence or Anſwer can be well made to thoſe Arguments which the Mediators put to us, both from their own Judgment, and the Keenneſs of the other Party; eſpecially when we conſider there may be ſuch an Anſwer given to the Example of the Treaty of *Munſter*, (tho' we do not perceive that either the Mediators or the *Dutch* have yet bethought themſelves of it) as may, in our humble Opinions, quite take away the Force of that Argument; for in the Hiſtory of the Treaty, written out of the Memorials, and by a Penſioner of *France*, (*Vittorio Syri*) it appears the *French* do in this Treaty want the main Plea which they at *Munſter* had for their denying of Paſſports to the Duke of *Lorain*; for whenever they were preſſed to it in that Treaty, their Anſwer ſtill was, that by the Preliminaries that had been adjuſted ſome Years before at *Hamburgh*, it was provided, "That the Allies of "the one Side and the other might have Paſſports, if they ſhould "demand them in Manner and Form there agreed on; but in the ſame "Preliminaries it was (as the *French* ſtill aver'd) expreſly ſtipulated, "that the Duke of *Lorain*, for the clearer excluding him out of that "Treaty, ſhould have no Paſſports accorded to him, for his Miniſters "to come to *Munſter*." And tho' it be true, that Paſſports were *de facto* denied him, and yet a Peace was concluded, it cannot be thence inferr'd, that the *Spaniards*, who ſtickled moſt for to gain him theſe Paſſports, gave way to his Excluſion, or acquieſced in the Refuſal of the Paſſports, ſince they were not at all Parties to that Peace; and probably would never have been ſo with the Excluſion of that Duke, who was then ſo entire in their Alliance and their Service. But in the Peace of the *Pyrrhenées*, they did not ſee ſo much Cauſe to be concerned for him, as they had been at *Munſter*, ſince they were ſo diſſatisfied with him, as to detain him their Priſoner at that Time.

Thus, My Lord, we take the Boldneſs to lay before your Lordſhip, much of what hath been already ſaid, and ſomething which not improbably will be ſaid ſome time or other upon this Argument: That if his Majeſty ſhould think fit to diſpoſe the Moſt Chriſtian King to wave this Point, (the other Party being abſolutely deaf to any manner of Expedient) his Majeſty may not be unacquainted with the Reflexions this

this Place affords, when he shall please to take his Measures for that Affair: Nor dare we flatter ourselves, so as to think, that if the Passports were granted, that any Part of this Affair will be submitted to Arbitrage; the Confederates in all Likelihood proposing to themselves to have a final Decision of that Affair in this Treaty.

We have nothing to add to that Account we gave in our last, of the Motion of the Troops in these Countries; Part of the *Imperial* Army being pass'd over the *Rhine*, to take their Quarters, not only about *Ansperk*, and those Parts of this Diocese which are on the other Side the *Rhine*, but also intending (as 'tis given out) to reach the Bishoprick of *Heildsheim*, (which is this Elector's) *Munster*, and *Paderborne*, and all *Westphalia* over. The Envoys of *Munster* tell us, that their Master having an advantageous Frontier to his Country, intends to oppose the *Imperialists*, if they shall attempt to take up their Winter-Quarters in his Country: But he complains to his Minister here, that M. *de Luxemburgh* is passed over into the Country of *Liege*, very unexpectedly to him, since *France* is obliged to succour him, in case any Attempt should be made upon him on this Side.

The last Letters which the Ambassadors of *Sweden* have, speak their King to have pass'd over the *9th* Day in his Small-Pox without any Symptom of Danger.

The *French* Ambassadors tell us, that the Treaty lately sign'd between *Sweden* and *Brandenburgh*, is a bare renewing of a former defensive League, without any Respect to the State of Affairs at present. The Minister expected here from *Bavaria*, is not yet arrived, nor have we heard any Thing more since our last of the *Tiers* Party. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{2}{12}$*th Decem.* 1673

My Lord,

We shall not presume to enlarge your Lordship's Trouble by this Ordinary, in Regard we do, in Pursuance of that Encouragement wherewith your Lordship hath been pleased to honour us, dispatch Mr. *Smith* back again for *England* this Day, at the same Hour with the Ordinary; there being now 14 Days expired, since we dispatched Mr. *Barré* upon the like Errand: He brings with him Duplicates of all our Dispatches since M. *Barré* went; we thinking it our Duty to continue this Method, as long as it hath your Lordship's Approbation, the better to prevent, at leastwise to repair Miscarriages, that are now frequent with the Ordinary, and the Delay that may happen at the Water-Side. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{9}{19}$*th Decem.* 1673.

My Lord,

The last we presumed to trouble your Lordship with, was of the $\frac{5}{15}$*th* Instant, by the ordinary Post of that Day, a Copy of which we take Leave to send here inclosed: Since which, there has not much

past

past here relating to our main Negotiation, the whole of that Matter continuing, as we have all along told your Lordship, finally to stop at that insuperable Difficulty, of admitting the Duke of *Lorain* forthwith into the Negotiation as a Principal, and that Passports be immediately granted for his Ministers to repair hither accordingly.

Having been yesterday invited to Dinner by Prince *William* of *Furstemburgh*, he took us aside, and entring into Discourse with us of the State of our Negotiation, and the little Likelihood there was, as Things now stand, that the *Dutch* and their new Allies would give us a Peace upon any reasonable, or indeed tolerable Terms, till by some new Accidents their Affairs came to decline, from that advantageous and improving Condition they take them to be at present in; it was Time, he said, and more than Time, that the two Kings and their Allies should bethink themselves of these two Points.

1. Upon what Conditions they would each of them finally make the Peace; that is, having first thought each with himself, to what Degree the Peace is necessary to him, to say finally, and with the very last and lowest Word, upon what Conditions he will be content to accept of the Peace; and these being communicated and approved among the Allies, frankly, and without any further Reserve or Abatement of any kind, immediately to see if the Peace can be had upon those Terms. If it cannot, then,

2. In the next Place, that the Allies should consult amongst themselves how to carry on the War, that is, as well to concert the Force which each Party will undertake to carry on his Share of the War the next Year, as thus to sit down and agree jointly, how and upon what Designs, the Force, when on Foot, shall be employed; that the Opinion and Judgment of each of the Allies may be taken into Consideration, and such Resolutions taken as may seem most reasonable for the common Good of the Alliance, and so as each Party may find themselves proportionably considered in the Designs that shall be gone upon.

This is what he, the Prince, says, he thinks reasonable, and what he is bound in Duty to the Elector's Interests to offer at this Time: For, says he, the Elector's Affairs are in so very bad a Condition, his Country so wholly lost or ruin'd, so little Hopes of seeing it restored to him, by any Care that is yet taken of him, that he, the Prince, how partial soever he is for the Interests of *France*, and of the Alliance, he cannot answer to his own Honour and Conscience, to council the Elector long to withstand the Temptations that are offered him to make his own Accommodation, unless the two Kings do give him wherewithal to do it, by agreeing to the Method he now proposes; which certainly, says he, all the World will think reasonable in this Posture of Affairs: Upon this Occasion he passed to mind us again of the sad Condition the Elector and his Affairs were in; that he had lost his whole Electorate of *Cologn*, his Country of *Liege* wholly ruin'd, most of his Towns taken, his Revenues spoil'd for many Years, his Subjects ruined, not to recover themselves in 15 or 20 Years, a Debt of a Million of Dollars contracted for the Sake of the War only, all his Expectations lost of seeing his Country delivered from the Enemies, which was promised him so solemnly these last 5 or 6 Weeks, and the *French* Forces now marched away out of his Country into distant Quarters, and upon such Measures, as it is not to be imagined, they can ever be in a Condition to do any Thing for his Recovery in the Spring; so as now, upon the whole Matter, he gives over all Hopes of seeing his Country delivered by the Arms of *France*: Beyond this, the Nobles, and the States of the Electorate,

Electorate, are at present constrain'd, for saving their Country from a total Destruction, to pay 30000 Dollars a Month Contribution, which they are forc'd to take up at Interest, not having of themselves wherewithal to pay one Penny of it: This, says he, is the State of the Elector, and being such, and so little Appearance of having any Thing done for their Deliverance or Protection, he summ'd up all in this; that peremptorily, he could not be able to answer for the Elector, nor what Resolutions he might be forced to take, unless the two Kings would be pleas'd forthwith to come to some Resolutions in the two foregoing Points; and that without further Loss of Time, the Allies might see what they were to trust to: This, he said, he had, as the Occasion offer'd, represented to the *French* Ambassadors, and meant to do so more formally to the Court, by the Person he is now sending to *Paris* upon that Errand; one *Duffett*, who formally resided several Years on the Part of the Elector at *Brussels*; but pray'd us, we would also enter into it, and endeavour that the King our Master would please to consider of it: And if the Continuance of the Elector and the Bishop of *Munster* in the Service of the Alliance were judg'd of Use, that his Majesty would please first to agree himself, and next to dispose the Court of *France*, that forthwith the two Points aforesaid might be provided for, without which, he said, he doubted much, how far the Elector would think it reasonable further to expose himself and his Country.

This is what we had all along found these two Allies would finally Aim at, as complaining to have suffer'd infinitely in their particular Interests, as well as in the Share they had in the common Fortune of the Alliance, for want of some such Concert and Communication, as this now proposed is, in the many Events of the War this last Year: And in these Points, we perceive, they will press to have a speedy Satisfaction; the Season of the Year, for final Resolutions of a certain infallible Peace, or a vigorous Prosecution of the War, coming on so fast.

As to the first of these two Points, that is, upon what Conditions the two Kings would finally agree, as Matters now stood, to make the Peace, Prince *William*'s thought is, that the two Kings having resolved finally, how low they will ever be content to come, that the last Terms and Conditions should be by the Hands of the Mediators, or of him the Prince, or of both intimately by the by, as it were from themselves, to this *Tiers*-Party now framing, from whom they seem to hope much in Favour of the Peace, as the Conditions, to which it were to be wished the two Kings would be prevailed with finally to condescend; and so to make as if these were the final Temperaments and Moderations proposed, as fair and reasonable, by the Mediators, for the two Kings to agree to, without discovering that they had thus moved from the two Kings. And this is the Method, he, the Prince, would, he says, propose in this Matter, and that no Time is to be lost in it, for many Reasons, the Season of the Year returning apace, the middle Part of the Empire beginning to take a Figure in this Business, and it being certain that *Holland* is hitherto, so long as *Spain* has not actually broken with *England*, in a Condition and Power to make a Peace at a much easier rate, than it will be when the Rupture shall have followed between these two Crowns; that is, on Condition as to *France* and *Spain*, that all Things be restored to the State they were in before this War, and according to the Peace of *Aix*; and as to the Emperor and *France*, to bring all Things to the Rule of the Treaties of *Westphalia*; whereas, when once *Spain* shall have broken with *England*, and that so the War is

is become universal between all the Parties; *Holland*, by Virtue of this last Treaty of *Spain*, is obliged thenceforward never to make Peace, but on Condition to see restored to *Spain* all the Conquests of the *Spanish* Low-Countries of the Year 1667. So, as he concludes, that as to the first Point, *viz.* the making of the Peace, and the agreeing the last and lowest Conditions upon which the two Kings will finally think fit to make it, no one Moment of Time is further to be lost in it.

And as to the other Point, that is, the adjusting and concerting joyntly among the Allies, how and in what Manner most vigorously, and with Advantage, to prosecute the War, in Case the Peace cannot be obtained; besides that, it seems of great Reason and Justice, that where every Party bears a Share in the Burthen, and runs his Part of the Hazards in the Events of a War, there each of the Allies should have a proportionable Influence upon the Councils that should be taken, and the Conduct that should be resolved for the carrying on of the War. Besides this, which seems but just and reasonable, he says plainly, he finds the Elector so sensible of the great Prejudice his Affairs have suffer'd, for Want of this Concert and Communication of Councils this last Summer, that he cannot undertake to answer for him, nor the Resolutions he may come to take, in Case he be denied this Satisfaction; and the same he says also of the Bishop of *Munster*, who is not like to be far behind the Elector, in Case of such a Change of Interests.

To these Considerations he adds, that of the Interest the common Cause hath in this Point, that it is certain, as he says, the several Parts of the War these two Summers have fallen extreamly short of the Successes that might reasonably be expected from them, for Want of this Concert and mutual Communication; first, in forming Councils, and then in executing them: As, on the other Hand, one of the most likely Ways to secure the Fortune of the Allies, in their War for the future, will be so from Time to Time to adjust and Concert the Designs and Actions of each Part of their Force, as that they may mutually help and second each other; and this is a Thing we perceive these two Allies do mainly insist to have done for the future.

Yesterday the *French* Ambassadors made us a Visit, to communicate to us, as they said by their Master's Commands, certain Orders they had received from Court, relating to the Business of the general Suspension: Your Lordship will please to remember, that when that Matter was proposed some Weeks since to the Mediators, with a formal Declaration of the Consent of the King our Master, and of the Most Christian King, it was limited that it should continue but till the End of *April*; and founded principally on this Condition, that the two Armies should each of them withdraw out of the Empire; this being the Foundation and main Scope of the Thing, the *French* Ambassadors, it seems, had foreseen an Objection the *Imperialists* might be apt to make against that Condition, of withdrawing their Troops out of the Empire; for the March between this Electorate, and the other neighbouring Countries upon the *Rhine*, where now their Army lies, and the Hereditary Countries of *Bohemia* and *Silesia*, (whither in that Case the Emperor's Troops must retire) is so very long, and the Time between this and the End of *April* so short and narrow, that by that Time they would be well in their Quarters in *Bohemia*, the Term of the Cessation would be expired, and they must be thinking of marching back again; so as it would serve to little more than to harrass and wast their Troops: Besides that, at the Expiration of the Truce, they, the *Imperialists*, would find themselves by this Means a Month or Six Weeks march out of their Way,

Way, and from the Parts where the War was to be prosecuted; Whereas, on the contrary, the *French* Army would be at the next Door to it, and have had all that Time (the other had been in marching back or forward) to refresh and recruit itself in. And this Objection, the *French* Ambassadors were of Opinion, lay so fair for the *Imperialists* to make, that they had taken Leave to lay it early before the King their Master, for his Direction what Answer to make to it, in case that Point of the Suspension came to be further treated upon. To this therefore the King, as they told us, had now return'd them, as his Pleasure, that absolutely it was necessary to insist finally on that main Condition, that each Party should be obliged forthwith to withdraw their Troops out of the Empire, that being indeed the principal End for which this Suspension was proposed; and that therefore, by way of Answer to that Objection, in case the *Imperialists* came to make it, they, the Ambassadors, should, as of themselves, say, that tho' the King their Master had not thought fit to agree to the general Suspension for any longer Time than the last of *April*, yet they, the Ambassadors, were of the Opinion, that as an Ease to this Inconvenience alledg'd on the Part of the *Imperialists*, the King their Master might be prevailed with to continue the Suspension even for one Year longer, that is, till the End of *April* 1675. but this to be said as of themselves, not discovering that they had otherwise any express Orders to make such a Proposition. And this, the Ambassadors told us, they were commanded to communicate to us, to the end, that in case we were agreeing to it, they might, if that Business of the general Suspension came to be treated of, and that this Objection were made on the Part of the *Imperialists*, proceed to make this Offer by way of Expedient: We told them, this was a Thing wholly new and unforeseen, and that consequently we had no particular Instructions in it; that we knew in the general, the King our Master referr'd himself very far in all this Matter of the Suspension, to what the Most Christian King should judge most useful to the common Cause; but the Point of prolonging such a Suspension a whole Year round, was of that Importance, that it would be our Duty to inform his Majesty of what they, the Ambassadors, had thus communicated to us, and to receive his Pleasure more expresly upon it; which we promised them we would do by this Day's Pacquet. They closed the Thing, by praying us, above all, to take Care that this Proposition might remain as a great Secret between ourselves, for the Alarm this Elector would especially take at it, should he foresee the Misfortune he would be in, in this Case, to have the greatest Part of his Country remain, during such a Suspension, in the Hands of the Enemies, where now it is. This is the only Matter of Weight we have at this Time to trouble your Lordship with, and which we humbly desire to lay before his Majesty, for his Pleasure upon it. Your Lordship will please to remember, that the Opinions of the Mediators, as well as of the *French* Ambassadors, have ever been, that this Proposition of a general Cessation will not take Place, considering the insolent Humour the *Dutch* are now in; or if it did as to the first Term intended, of the last of *April* next, yet it is not at all believed, the *Dutch* could ever agree to any such Prolongation of it, as this which the Most Christian King now proposes; for the great Burthen they, the *Hollanders*, must be forced to lie under all that Time, in the vast Subsidies they must continue to pay to their Allies, so as it is not expected such a Proposition can take Place; but the Use that is intended shall be made of it is, that the Mediators and the *Tiers* Party in the Empire, who are more particularly concerned to see the Empire be free

 from

from those two Armies, may be satisfied all is done that possibly can be done on the Part of the two Kings and their Allies, for the obtaining the Suspension; and consequently, the Refusal being on the Part of the *Dutch* and their Allies, we may be able to value it to this middle Party to our Advantage, and to gain so much the further into their good-Will by it.

SINCE our last, is arrived the Minister of *Bavaria*, in order to the Business of the *Tiers* Party: It is one *Meyer*, a good discreet Person, as the *French* Ambassadors represent him, and one, as they say, particularly well affected to the Interests of that Court; in a little Time we shall now see, what Party that Matter will take, only it falls out unhappily, that tho' the whole Business moved, as may be easily supposed, first by *Sweden*, the first Design and Model of it having been concerted between the *Swedes* Ambassadors here, and the Duke of *Newburgh*; yet the Ambassadors have not received to this Day their Powers for the treating that Matter; so as if all the other Parties were upon the Place and ready, as most of them are, the Thing must suffer a Delay for want of necessary Powers on the Part of the *Swedes*. But the Ambassadors tell us, they have again minded the Court to hasten them, and they doubt not but in a few Posts they shall have an Account of them, and that in the mean time they will proceed to enter upon the Matter with such of the Parties as are already here.

IT seems the Treaty, we told your Lordship in our last was said to be concluded between *Sweden* and *Brandenburgh*, proves to be but a plain, naked, defensive Alliance, without any Relation to the present Affairs: The Particulars of it are not yet come to the *Swedes* Ambassadors, but in the general, the Count *Tott* tells us, it is no more than an ordinary defensive Treaty; so as the Elector of *Brandenburgh* is not, that we can find, so far won by *Sweden* into the Secret and Intent of this *Tiers* Party, as was hitherto believed; that whereby the *Swedes* and *French* Ambassadors seem to hope most to gain upon him, in order to all our Interests at this Time, is, the Business of *Poland*: That is, the Elector having so great an Interest, to see the Choice fall upon a Prince well inclined to his Friendship, and particularly if it be upon the Duke of *Newburgh's* Family, for the Advantage it is suppos'd that Duke has heretofore, upon the like Occasion, agreed to allow and yield to the Elector, in the Matters depending between them two here, in their Countries of *Cleve* and *Juliers*, in case he, the Duke, should, with the Assistance of the Elector, come to succeed in the Crown of *Poland*. This is judg'd not an unlikely Occasion, for *France* and *Sweden* to engage that Elector more heartily into our common Interests, by offering in his Favour to joyn their Endeavours in *Poland* in Favour of the Duke of *Newburgh*, or what Prince else may be most to the Liking of the Elector of *Brandenburgh*. This is a Thought we perceive the *French* and *Swedes* Ambassadors have upon that Matter of *Brandenburgh*, but which is not in their Power to make any Advance in, otherwise than to lay it before their several Masters for their Consideration, which we believe they have already done.

THURSDAY last, the Baron *de Lysola* went, as was given out, to *Bonne*, to visit the Duke *de Bournonville*; but having not been heard of since, and some that have pass'd by that Town assuring us he is not there, it is somewhat wondred, whither he can be gone, and on what Errand: Some say to *Liege*, in order to prepare Matters for the Design, it is in that case suppos'd, the Count of *Monterey* may have upon that Town, in the sudden March he is now in: Others believe he may

be gone to meet the ſaid Count of *Monterey*, to beget a better Diſpoſition on the Part of *Spain* towards the Peace, than they are yet in. For it has been obſerved, that *Beverning*, ſpeaking on ſeveral Occaſions of the Peace, and the Deſire the States really have on their Part to have a Peace, let fall, that the Emperor was well enough diſpos'd on his Part to it, only *Spain* kept off, and made the greateſt Difficulty; ſo as ſome believe, it may not be impoſſible, but that *Lyſola* has made this Turn to ſee what he can do upon the Mind of the Count *de Monterey*, in Favour of the Peace, in caſe they can find Things otherwiſe diſpoſe themſelves to it. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{12}{22}$*th* *Decemb.* 1673.

My Lord,

In our laſt that we had the Honour to write to your Lordſhip, which was of the $\frac{9}{19}$*th* Current, by M. *Smith* the Expreſs, a Duplicate whereof we take Leave herewith to encloſe, we preſumed to give your Lordſhip an Account of the Commiſſion which the *French* Ambaſſadors are now poſſeſſed of, to inſinuate, as they ſee Cauſe, that their Maſter will conſent, if the general Suſpenſion of Arms comes to be treated of, to ſuch a Truce as ſhall laſt till *May* 1675. This they are to give Hopes of as from themſelves, in caſe it be objected that the Term heretofore diſcours'd of till *May* next, be too ſhort and inconvenient; yet we do not find, upon Converſation ſince had with the *French* Ambaſſadors, that they do believe, that a Truce of that Length (if any at all) will be conſented to, much leſs deſired by the other Side; only they hope, this Facility of the two Kings (ſuppoſing that our Maſter does concur in it) may prove a Means to convince and ſatisfy thoſe of the *Tiers* Party, that this Alliance is ready to comply with any Expedient that ſhall tend to bring this Negotiation of Peace to a happy Period.

But as to the *Tiers* Party itſelf, the Mediators told us late laſt Night, that the Miniſter of the Elector of *Bavaria* (who is thought to have been ſent hither in order to concur in it, and promote it) hath not yet been to ſee them, nor have they had hitherto any the leaſt Communication with him upon Buſineſs. Nor are they, the Mediators, as they themſelves do confeſs, ſo perfectly inſtructed, (which, they ſay, happens partly from the Abſence of the King their Maſter all this laſt Summer from *Stockholm*, and partly from the Accident of the Small Pox, that now detains him from returning thither) as they hope to be e're long, for the managing of that Affair. This Want of Inſtructions and Power the *French* Ambaſſadors do not ſtick to impute to a great Negligence in the Mediators, having told them, that unleſs the Powers which they expect do come very ſpeedily, and be very full (enabling them to conclude and ſign Treaties here with the Princes of the *Tiers* Party) when they do come, this whole Affair will be thrown ſo far behind hand, that the Seaſon of Action will be too far advanced, and go near to nip it in the Bud: For this Slowneſs, and theſe Delays of *Sweden* on the one Hand, and the thriving Condition of the Confederates on the other, will, it is feared, make thoſe Princes, who were once willing to joyn Hands in this *Tiers* Party, very backward to declare themſelves at this Time to any good Effect; ſince *Sweden*, which was expected to be in the Head of them, does not appear diligent and vigorous enough to form

and

and lead on the Party; and ſince the *Imperial* Counſel hath all the Opportunity and Leiſure it can wiſh for, to traverſe the whole Deſign: An Inſtance of theſe Endeavours ſhews itſelf very viſibly at *Ratisbone* at this Time; where the *Imperial* Commiſſioners are labouring to form a *Contre* League, under the Notion of providing for the publick Security, and of driving away Stranger Troops out of the Empire: The ſame Diligence is uſed by the *Imperial* Miniſters in the reſpective Courts, that are ſuſpected to encline to this *Tiers*-Party: The *Imperial* and *Spaniſh* Miniſters now in the Court of *Sweden*, calling with all Earneſtneſs upon the Counſel there, to execute the Guarranty which that King owes to the Peace of *Munſter*; and another in *Berlin*, having labour'd all he could, and that with large Offers of Money too, (tho' all in vain) to divert that Elector from ſigning the defenſive League and Treaty lately made up, or rather renew'd, (without any direct Aſpect upon the preſent State of Affairs) between him and the Crown of *Sweden*; ſo that upon the Matter, we dare not promiſe to ourſelves thoſe Advantages from the *Tiers*-Party it might (had it been knit together in due Time) have produc'd, either by Way of Approbation and Countenance to our Demands from the *Dutch*, as they ſtand now moderated by ſeveral Abatements; or elſe by Way of Oppoſition and Check to the *Imperial* Troops, in their Quarterings, Paſſages, and impoſing of Contribution, contrary to the Rules and Capitulations of the Empire.

On the other Hand, the Appearances are very ſlender, from any Thing that we have obſerved to have of late been ſaid or done by the Mediators, that *Sweden* alone will break into Action this Spring, in Purſuance of their Treaty with *France*; we do not find that they, the Mediators, do own that Engagement ſo frankly at this Time as formerly they have done: For they do not only inſinuate, that they are in an Apprehenſion of their Neighbours, the *Danes* and the *Holſteiners*, the Houſes of *Brunſwick* and *Mecklenbergh*, and even the *Brandenburgher* too, in Caſe they, the *Swedes*, ſhould enter into Action, before the Hands of theſe Neighbours be tied up, either by the Intereſts and Interpoſition of the two Kings, or elſe by a common Concurrence of all theſe Princes in the *Tiers*-Party: But they would alſo have their Treaty of Action with *France* ſo underſtood, as if there were certain Caſes, in which (falling out to be ſo in Fact) they are abſolutely excuſed from executing it: The one is, in Caſe *France* ſhould refuſe to yield to a Peace upon reaſonable Terms: The other is, if *France* ſhould act in the Empire prejudicially to the Treaty of *Munſter*: Both which Points, they ſay, are expreſly provided againſt in their Treaty. Upon the firſt of theſe Points, they have hitherto diſpens'd with themſelves from avowing, that the Terms upon which *France* hath offer'd to come to a Peace, are fair and equal, to the Satisfaction of their Judgment; and for the other Point, they have been obſerv'd to ſay plainly enough, that *France* is not to be excuſed in the Invaſion they have made upon the Elector of *Treves*, nor yet, in that they did not withdraw their Troops out of the Bowels of the Empire laſt Year, as ſoon as the Elector of *Brandenburgh* was taken off, and the *Imperial* Troops withdrawn into the Hereditary Countries: Beſides that, they complain very much of the diſmantling of *Colmar*, a Proteſtant Town and Univerſity, and other Free Towns in *Alſatia*: We dare not ſay, that they have explain'd themſelves to this Effect, by Way of Excuſe for their not executing the Treaty with *France*; but we muſt, with all humble Submiſſion, beg leave to ſay, that we find nothing of that Fervour in their preſent Diſcourſes, which we obſerved in them in the Months of *July* and *Auguſt*, and which gave the *Dutch* Ambaſſadors

Cauſe

Cause to complain of them, and the States General to order their Ambassadors to enter into an Expostulation with them, as having used such Threats and Menaces of breaking with them, and declaring against them, as could not comport with the Office of Mediators; instead of which Temper, they seem now to make it their chiefest Care, to keep up the Figure of this Mediation, (if not singly in themselves, which the Emperor and *Spain* may except against, yet joyntly with others) almost upon any Terms.

We for our Parts, not discovering by any Thing they, the Mediators, have of late said or done, that *Sweden* either intends to declare, according to its Engagements, in the Spring, or that it is like the *Tiers*-Party will be brought into that Figure, that shall be of Use to the common Cause, in Order to bring on the Peace; and if not, to take off the Emperor and the Members of the Empire from continuing their Aids to *Holland*, did lately, in a Conversation with the *French* Ambassadors, and for our Discharge towards our Master, propose to them, that we should make a fair and respectful Representation to the Mediators, how little useful they may be said to have been of late to the common Cause, either as Mediators or Allies; and that in Order to satisfy the two Kings, it will be requisite that *Sweden* do improve this Project of a *Tiers*-Party, to procure a good Peace this Winter; or, if that cannot be, to enter into Action by a certain Day this Spring. But we found the *French* Ambassadors unwilling to enter into any such open *Eclaircissement* with them, contenting themselves to let them know, (as they say they have done) that their Subsidies will be withdrawn wholly, and cease in *July* next, in Case *Sweden* does not very suddenly answer their Expectation with Effect.

However, as we thought it our Duty, under his Majesty's gracious Pardon, to propose this Representation, as an Address that could not have been otherwise than well taken by the Mediators, since it is a Discharge of ourselves that we are answerable for, while we are here upon the Sentinel; so we humbly beg leave, thus to submit the Motives we had to make this Proposal to the *French* Ambassadors, and leave the Judgment of them before your Lordship; not that we presume to censure the Councils of *Sweden*, or the Measures they may take, nor yet that we do doubt, or are unsatisfied of the Integrity and Affection of the Persons that act in this Mediation for the common Cause, or of the particular Respect and Veneration they profess to have for our Master, (if the wrong Judgments they have, at our first assembling here, made, of the supple Temper and perishing Condition *Holland* was then in, as they believed, may be excused in them:) But that we cannot think it possible, as Things now stand, their Mediation should be of any good Effect, unless the other Side be convinced, that in Case the Mediation can do no good this Winter, the *Swedes* will enter into Action in the Spring: For, as our Hopes for a Peace here have no other Measure, but that Ability, Union, and Vigour, that the whole Alliance shall now appear in, in Order to prosecute the War with Advantage next Year; so we are apt (under Correction) to think, the Confederates are perswaded nothing is so likely to turn the Scales of their present Condition, as the breaking in of the *Swedes* into *Germany*.

Monsieur *Beverning* gave the Mediators yesterday a Visit, as if he had asked their Leave to take a Step into his own Country, in order to look after his own private Affairs for a few Weeks; and the rather, he said, in that the Duke *de Chaulnes* is now absent; and that there is nothing of the Negotiation for Peace like to come on (as he understands

ſtands it) in that ſhort Time he deſires to be away: He did not ſpare to let them ſee, his Maſters were now wholly intent upon the War; having aſſign'd twenty Million for the Land Service, and ſeven for the Service of the Sea; and when he was told, that a much leſſer Sum would purchaſe them a very good Peace, his Reply was, that the Mony was better beſtowed for their Defence in the Reſolutions his Maſters had now taken, not to part with any Place, nor give a Penny of Mony to thoſe that had made ſo *impious* a War (he uſed no better Epithet) upon them.

It is now no longer doubted, but that M. *de Lyſola* is gone to confer with Count *de Monterey*; he was not returned yeſterday in the Evening, having had an *Eſcorte* as far as *Ruremonde*, in his Way to *Dieſt*. The Prince of *Orange* and Count *Monterey* are ſaid to have been on *Tueſday* the 8/18*th* about *L'andinne*, a Nunnery upon the *Meuſe*, two Hours below *Namur*, where they were laying a Bridge, in order to paſs the River, and to obſerve the March of the Duke of *Luxemburgh*, who is ſaid to be now drawn from the Neighbourhood of *Liege*, where he was, and paſſed the River *Ourſt*, in his Way to *Sedan*, and ſo for *France*: This is written from *Aken*, but upon what Grounds we know not.

We take the Liberty to encloſe to your Lordſhip, a Copy of the *Dutch* Ambaſſadors Letter, of the 12*th* Current, to the Mediators, for a categorical Anſwer about the *Lorain* Paſſports; the Mediators having ſent it us by their Secretary laſt Night, tho' we had it imparted to us, and ſent to your Lordſhip a Copy of it this Day ſevennight.

Since the Beginning of this Diſpatch, we have the Honour of your Lordſhip's of the 1*ſt* Current, come to our Hands, and by it, the Joy, and the good Occaſion to congratulate to your Lordſhip that good Degree of Recovery in which you were at the Writing; which we beſeech God to perfect and confirm: This Poſt gives us not Time to ſay any more to the Contents of that Diſpatch, than that his Majeſty's Anſwer to the *Dutch* Letter takes exceeding well in theſe Parts; every Body ſeems affected very much with that Reaſon of Honour, for which his Majeſty declares againſt all ſeparate Overtures; as alſo with the frank Challenge that it is cloſed withal, in Order to let the World ſee, by the Progreſs and Succeſs of this Treaty, whether his Majeſty be wanting in thoſe Propenſions, that can be reaſonably expected in him, to come to a fair Accommodation. M. *de Groote*, who is a great Critique, and little favourable to our Side, deſpiſes much the Addreſs of his old Maſters; for he ſays, ſince they intended it for a Manifeſto, (as he confeſſes it is) to convince and make a Party; they ſhould not have begun ſo low and crouchingly as they do; and ſince they would have the World believe they become humble Suiters to his Majeſty for Peace, they ought not to have ſtuff'd it with ſo many Inſolencies.

We have printed off 500 Copies in this City, and they are for the moſt Part diſpoſed of; it hath been printed likewiſe at *Bruſſels* in *French*, and at *Antwerp* in Low-*Dutch*; Sir *William Curtius* prints it at *Frankfort*, and Sir *William Swan* at *Hamburgh*, both in High-*Dutch*. We are, &c.

To

To the Earl of *Arlington.*

Cologn $\frac{16}{26}$*th Decem.* 1673.

My Lord,

OUR laſt to your Lordſhip was of the $\frac{12}{22}$*th* Inſtant by the Ordinary, a Copy of which we take Leave to ſend here incloſed: The next Day M. *Courtin* chancing to meet us at Prince *William*'s in the Evening, told us, he and his Collegue were to come to ſee us next Day, upon Occaſion of a late Diſpatch they had receiv'd from Court: The Matter, he ſaid, was this: The Elector of *Mentz* having now lately repreſented to the King their Maſter, the Deſire the Emperor had expreſſed, to have him, the Elector, to enter with the Elector of *Bavaria*, and the Duke of *Zell*, into the Mediation of the preſent Differences; he, the Elector, as he ſaid, before he would make any direct Anſwer to the Propoſition, had deſired to underſtand his Majeſty's Mind, how agreeable it might be to his Majeſty, that he ſhould accept of that Overture, and engage in the Work: To which the King their Maſter had, as he ſaid, made in a manner the ſame Anſwer the two Kings had made formerly to the like Propoſition, when made by the late Elector, Predeceſſor to him that now is, *viz.* That as to the Differences depending, or pretended to be depending between him and the Emperor, or the Empire, his Majeſty was very willing to accept of his, the Elector's, Mediation, together with thoſe of other Princes of the Empire, named in that Overture; but that as to the Quarrel depending between him and the States General, it was already put into the Hands of the King of *Sweden*, that he had been long poſſeſſed of all that Matter, had taken great Pains in it, and his Majeſty could not therefore find it proper to make any Change in it.

This, M. *Courtin* told us, was the Anſwer that the King had now return'd to the Propoſition made on the Part of the Elector, upon which Occaſion the King, it ſeems, ſaid, he had made further Reflexion, as to the admitting, or not admitting *Sweden* into the Mediation of the Differences with the Emperor; that is, whether, as he has found fit to exclude thoſe Princes of the Empire from the Mediation between him and *Holland*, leaving that to the *Swede*, and limiting their Mediation ſingly to the Differences he hath with the Emperor and the Empire, whether it might not be fit likewiſe, on the other Side, when the Matters of the Empire came to be mediated, abſolutely to keep *Sweden* out of that Mediation, not allowing that that Crown be Mediator in the Matters depending between the King and the Emperor; in that, ſaid he, *Sweden* being obliged by their late Treaty to enter into open Action, in caſe the Emperor proceed to aſſiſt the *Hollanders*, it will be impoſſible that *Sweden* can comply with that Obligation, and at the ſame Time be Mediators between the Emperor and *France*; that is, in caſe *Sweden* ſhould come to be received into the Mediation between the Emperor and *France*, they will certainly plead to be excus'd from the Execution of that Treaty, as inconſiſtent with the Figure they are then in of Mediators. This, ſaid he, is the Reſolution our Maſter has made in the Matter, which he has been pleas'd in his laſt Diſpatch to communicate to us, commanding us to conſider of it, and to return him our Thoughts upon it.

This,

This, he told us, was the Thing he had to ſpeak with us upon; that is, as private Friends, not as Ambaſſadors, to ask us what would be our Opinion upon the Point; not that they had any Direction to ſpeak with us in it, nor that they would by any Means it ſhould be known they had conſulted us in it; but being to give the King their Opinion upon it, and the Matter not being otherwiſe without its Difficulties, they would be glad to take what Help they could, in framing their own Judgments and Opinion in the caſe; above all, he ſaid, they muſt conjure us, not to ſpeak of it to the Mediators, nor to take any Notice of it in our Diſpatches to *England.*

Accordingly the next Day the *French* Ambaſſadors came to ſee us, and M. *Courtin* began to open the Matter, but very imperfectly and confuſedly; and having proceeded to tell us what Anſwer his Maſter had given to the Elector of *Mentz*, abruptly ended the Matter there, not touching one Word upon the main Difficulty, which he had the Night before told us the King their Maſter had raiſed to himſelf upon that Occaſion; that is, whether it would not be fit, and how far to exclude *Sweden* out of the Mediation of the Differences with the Emperor, for the Reaſon there given; in the ſame Sort he had declared, he thought reaſonable to exclude the Mediation of thoſe Princes of the Empire, in the Quarrel with *Holland*, &c. of this we found he did not touch one Word, but bumbling up the Matter with what had been anſwer'd to the Elector of *Mentz* his Propoſition, concluded, that they had deſired to give us this Communication of it, that we would think what would be our Opinion in the Point, and ſo they left us. We do not preſume to judge of the Point in Queſtion, nor ſhould we have thought it fit, had the Ambaſſadors proceeded to ask our Opinions upon it, in the Way M. *Courtin* ſaid they would, to have given any in a Thing of that Conſequence, without a more diſtinct Knowledge of his Majeſty's Mind upon it; but finding by what M. *Courtin* diſcourſed to us the Night before, that the *French* Court have moſt certainly ſomething of this kind at preſent in Deliberation, and yet by his ſudden Retraction of himſelf the next Day, that it was not to be communicated to us; for that very Reaſon, we thought it much more our Duty to give your Lordſhip this Account of it, humbly leaving it to his Majeſty's Pleaſure, how far he will think fit to have the Matter further watched, or enquired into, either here or at the Court of *France*; or whether his Majeſty will pleaſe to leave that, as he is pleas'd to do generally all Matters relating to the Empire, to the Judgment and Conduct of the King of *France?* Only we moſt humbly beſeech your Lordſhip, tho' we have not formally ſtipulated any Secret to M. *Courtin*, yet that the Notice his Majeſty ſhall think fit to take of the Thing, may be ſo ordered, as not to expoſe M. *Courtin*, who appears plainly, by what followed the next Day, to have overſhot himſelf in what he diſcover'd to us the Night before.

In our laſt, we took Notice to your Lordſhip of the heavy ſlow Pace we found the Buſineſs of the *Tiers* Party to move by, which we thought our Duty the rather to obſerve, and to be a little the more expreſs in, becauſe we do find plainly, that without the Conjunction of theſe Princes, or at leaſt a conſiderable Part of them, *Sweden*, notwithſtanding the Engagements of their laſt Treaty, will not be brought to act: This theſe Ambaſſadors, whenever they are preſſed, and will ſpeak out in Confidence, confeſs expreſly and in Terms. And ſo the *French* Ambaſſadors, in a Converſation we happened to have with them the laſt Night

upon

upon these Matters, told us very plainly. Since that, we find by M. *Courtin*, the Envoys of *Bavaria* and *Newburgh* have had a Meeting with the *Swedes* Ambassadors, in order to the forming the Plan and Heads of their Treaty, which, he told us, would be much the same the Count *Tott* had been hammering upon, of which we gave your Lordship an Account in our Dispatch of this Day sevennight; that is, that the main of their Treaty should be a defensive Alliance among the Parties, in the common usual Terms, and particularly against any Quarterings, Passages, *&c.* contrary to the Constitutions of the Empire; that there should be secret Articles, whereby the Parties would agree, for the composing the present Differences, to propose certain Projects of Conditions to each of the Parties in War respectively, in order to their Satisfaction; which if refused by the *Hollanders*, then the Emperor to be desired by the Allies, not further to assist them; or if he did, the Allies to oppose him, and to hinder that no Passage should be given to his Troops through any Part of the Empire, even tho' he should desire to take it under the Rules and Cautions provided in the Constitutions of the Empire. This, M. *Courtin* told us, was proposed to be the Engagement. In case the Project were refused by the two Kings, he told us, the Allies by this Plan obliged themselves from thenceforth each to remain Neuters in the Quarrel now on Foot. This we could not but take Notice of, as a much different Condition from what the Count *Tott*, according to the said M. *Courtin*'s Relation, had hitherto proposed to be agreed upon in this intended Alliance, in case the Project should happen to be refus'd on our Part; for hitherto it had been said, the only Condition the Allies in this *Tiers* Party would oblige themselves to, in case the Project should come to be refused on our Part, was, that in that case they would leave the Parties to fight it out among themselves, and not pretend to hinder even the Emperor from assisting of the *Hollanders*, as now he doth, provided his Troops took their Passage according to the Constitutions of the Empire: So as, according to that Condition, *Sweden* also would have remained in its Liberty, under the Engagement of our late Treaty, to enter into Action in Favour of the two Kings: Whereas, according to the Plan as M. *Courtin* now open'd it to us, *Sweden*, in case we chance to reject the Project, will be oblig'd from thenceforth to remain Neuter in our Quarrel, and consequently to dispence with the Engagement it is now under by our late Treaty, to act for the two Kings against *Holland*. This, we said, was a most considerable Difference, and such a one as we durst not venture in any Degree, without the Pleasure of the King our Master, to countenance, or to suffer ourselves any way to be made privy to, without at the same Time declaring our Dislike and Disallowance of it.

The next Time we saw the *French* Ambassadors, taking Occasion to speak of that Matter, M. *Courtin* would have perswaded us, the Thing was quite changed as to that Condition, and that now the Mediators and the Envoys were resolved to turn that Condition of the Alliance, to be to the same Purpose that Count *Tott* and the Mediators had design'd it, without any Obligation upon the Parties in that Alliance to remain Neuters in the Quarrel. However, we shall not content ourselves in a Matter we apprehend of so much Consequence, with what M. *Courtin* says in it, but shall take the first Opportunity to inform ourselves directly from the Mediators what has passed, or what is intended as to that Circumstance; as at the same Time to give them to understand in the general, that in the whole Conduct of this Business of the *Tiers* Party, we shall hope, from the Friendship and good Affection of

that Crown to his Majesty, and particularly from the Engagements they are under by the late Treaty, that they will please from Time to Time to give us early Knowledge of what they are doing in it; and we shall add, that since the Business of the *Tiers* Party is a Thing they have all along judged so absolutely necessary, in order to the bringing our Adversaries to a fair and reasonable Peace, and that the King our Master did on that Consideration so frankly agree to it, they will please to think fit, that we may constantly understand from them how it proceeds, what is resolved in it, and upon what Considerations; because we, for our Parts, have always apprehended, as we shall tell them, that whatsoever Figure of Neutrality and Indifference they, the *Swedes*, were allow'd to put on in Appearance in their Actings in this *Tiers* Party, yet that it was resolved they would at the same Time so order it, that in Compliance with the Engagements they stand tied in to the two Kings, the two Kings should be sure to have a Communication of all they meant to do, in order to know their Majesties Minds, how agreeable any Thing they were to go upon would be to them, even before it were engaged in. And this we shall presume to put them in Mind of upon this Occasion, and so, once for all, beg they will please from Time to Time to give us the Knowledge of whatsoever passes in that Matter; at least, that we may know what is doing in it, as well as we find others do know. And we presume upon this Occasion, to give your Lordship in Mind, that in all this Matter the Duke of *Newburgh* will have a considerable Influence, as well for that it seems in a manner to have first moved from him, at least the Thing was made to appear so to the World, as that the Minister he happens to have here upon that Affair, M. *Stradtsman*, is esteemed a very discreet worthy Man, and so is like to have a good Stroke in all the Management of it: So as we humbly leave it to his Majesty to consider, whether it might be proper to make any more particular Applications to the Duke upon this Occasion, and in what kind; whether his Majesty would think fit himself to write, or please to direct us to make any more formal Compliment by this M. *Stradtsman*, of the great Confidence his Majesty hath in the Duke's Kindness and Affection, and so to insinuate, that in the Conduct of this Matter of the *Tiers* Party, we are directed particularly to apply ourselves from Time to Time to him, the Duke's Minister, as well to understand what is at any Time doing, as privately to interpose and suggest, what we judge may be for the fair and reasonable Support of his Majesty's Interests, in any Thing that shall pass. This is a Thing we presume to put your Lordship in mind of, leaving it humbly to his Majesty's Pleasure, whether it be necessary to have any Thing of this kind or no: If his Majesty shall think it otherwise necessary to be done, the late Letter we sent your Lordship for his Majesty from the Duke, if not yet answer'd, may not improperly, we think, give an Occasion to do it.

YESTERDAY the Commander *Smising*, giving us a Visit in the Evening, fell again into his old Note, of complaining of some late hard Usages from the *French*; and tho' he will not speak it quite out, yet we find plainly, that Bishop is exceedingly dissatisfied with the *French* Ministers in several Matters: That which he at present complains of is, that whereas the Bishop having, by his own Forces singly, without any Assistance of the *French* or *Cologn* Troops, taken the Town of *Campen* from the *Hollanders*, in the Beginning of the War; he, the Bishop, at the Desire of the *French* King, put the Town into his Hands, but under an express Article, that it should be delivered to him again, at least

leaſt that it ſhould not be reſtored to the *Hollanders*; or otherwiſe howſoever diſpoſe of it, without his Conſent: That notwithſtanding this expreſs Convention, the King of *France* is now about ſlighting of the Place, in order to the quitting it to the *Hollanders*, as he hath done thoſe other of the conquer'd Places, without ſo much as the Knowledge of the Biſhop of *Munſter*, or ſaying one Word to him of it; altho' at the ſame Time, they have a Miniſter with the Biſhop of *Munſter*, one *Rouſſeau*, formerly employ'd in ſome Kind in *Sweden*, who, they find, ſays not one Word about this Matter of *Campen*.

M. *Smiſing* told us, that his Maſter was in good Hopes to eſcape pretty well, as to the Quartering of the *Imperialiſts*, which he had apprehended ſo much: For Major General *Sporke*, who commands that Part of the *Imperial* Horſe which is aſſign'd to Quarter in thoſe Parts, did, it ſeems, upon his firſt Arrival, write a civil Letter to the Biſhop, letting him know, that they underſtood well, he the Biſhop had entangled himſelf in the Alliance of the two Kings and the Elector of *Cologn* againſt the *Hollanders*; but that however, he, the Major General, had Orders to live well with him, and not to Quarter upon his Territories, and therefore he deſired to know, what kind of Carriage he was to expect from his, the Biſhop's, Troops in all Rencounters: The Biſhop anſwered, that he had nothing but Duty and Obſervance for the Emperor, had taken no Engagements with Relation in any Kind to the Emperor, and that therefore his Troops ſhould have Orders to live with all Fairneſs and good Neighbourhood towards the Emperor's Forces on all Occaſions: So as, ſaid the Commander, we hope that Matter is ſettled for the reſt of the Winter. Whether this be all that paſſed between the *Imperialiſts* and the Biſhop, we are not able to ſay: But in the Diſſatisfaction we find he is in at preſent with ſome of the *French* Miniſters, we apprehend it might not be unfit to eye him a little.

We told your Lordſhip in our laſt, the dormant Orders the *French* Ambaſſadors had by them, in the Matter of the general Suſpenſion; that is, to give Hopes of their Maſter's conſenting, in Caſe it comes to need ſuch an Expedient, that the Suſpenſion ſhould be continued after the End of *April* next, to that Time twelve Months, *i. e.* to the End of *April* 1675. Since which, the Ambaſſadors have been with us, to acquaint us of an Order they have received by their laſt Letters as to that Matter, that is, that they are, after Communication had with us, and our Concurrence in it, to let the Mediators know, that as to the Conſent they and we had declared on the Part of our Maſters, 5 or 6 Weeks ago, for a general Suſpenſion till the End of *April* next, that they were ordered to explain themſelves, and to let the Mediators know, that in Caſe our Adverſary ſhould not accept of that Offer, before the End of this next Month of *January*; that in that Caſe, the two Kings will not think themſelves longer tied to their Word in the Matter, but from thenceforward to be at Liberty in it: Which, conſidering the Orders we have had in all that Matter of the general Suſpenſion, have been to comply with the Mind and Opinion of the King of *France* in it, we preſumed, without further Difficulty, to agree to, and accordingly we told them, we were ready, when they ſhould deſire it, to concur with them in this Explication of ourſelves to the Mediators upon that Matter. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{19}{29}$*th Decem.* 1673.

My Lord,

SINCE our laſt, which was of the $\frac{16}{26}$*th* Current by the Ordinary, (the Duplicate whereof we take leave herewith to incloſe) We have the Honour of your Lordſhip's of the 8*th* of *December*, O. S. to acknowledge, as we do with all humble Thanks; and in it that Matter of ſpecial great Joy which is given us, in that his Majeſty is pleaſed to take it into his own Care, to remove that Difficulty which this Negotiation hath ſo long labour'd under, about the *Lorain* Paſſports; for the Treaty being to be reviv'd again in all Probability by this Means, we may hope either to come to a Peace, when the *Dutch* and all the World ſhall ſee, what further Degrees of Moderation his Majeſty is willing to deſcend to in his Demands; or if that cannot be, our Adverſaries will have put themſelves much more notoriouſly than ever in the Wrong, and his Majeſty's Subjects at Home, and his Friends abroad, receive perfect Convictions, that all Things poſſible, on his Part, have been done with Sincerity and Zeal, for reſtoring his own Kingdoms, and his Neighbours, to their Repoſe.

Besides, the overcoming of this Difficulty will be ſo much the more for his Majeſty's Glory here, and all the World over, in that the Mediators, the *French* Ambaſſadors, and all diſcerning Men in this Place, do, upon all Occaſions, acknowledge, that if there be a Poſſibility of removing this Obſtacle, it is to be done only by that Authority, which his Majeſty's Wiſdom hath with the Moſt Chriſtian King: They, having (all of them) made it their Obſervation, that the ſeveral Abatements which *France* hath come to, from Time to Time, in its Demands, as alſo the general Suſpenſion of Arms it is now ready to accept of, have been ſtill the Effect of thoſe Influences which his Majeſty, by his Example, and by his Communications, hath upon the Moſt Chriſtian King's Judgment and Councils.

We are likewiſe very glad of the Occaſion now given us, by his Majeſty's ſpecial Command, to wait on the Duke of *Newburgh*'s Miniſter here: And if our laſt Diſpatch, or this, do happen to come to Hand before his Majeſty do write his Letter to that Duke, 'tis poſſible that his Majeſty will judge, there is preſent Uſe for the Duke's Friendſhip in his Care and Concern for his Majeſty's Intereſts, in the Proceeding of the *Tiers*-Party; whereof we have given your Lordſhip ſome Account already: For the forming of this Party having mov'd originally from the Duke; and his Miniſter, M. *Stradtſman*, having a Hand in moulding the Project it is to go upon, (he holding the Pen among the Miniſters) his Majeſty's Intereſt will, we have Cauſe to hope, thrive the better for a ſpecial Recommendation to his Highneſs upon this Occaſion; and ſince it is taken for granted, that the Reſolutions and Proceedings of this *Tiers*-Party, are to be governed by the Majority of Votes, the Duke being advertiz'd of his Majeſty's Pleaſure, will not, we hope, ſuffer his Vote to be applied to the Offering, much leſs obtruding of any Conditions upon his Majeſty, that ſhall be either unreaſonable in themſelves, or diſagreeing with that Plan of Condeſcenſions, which his Majeſty hath form'd to himſelf, and done us the Honour to intruſt in our Hands.

M.

M. *Courtin* having obferv'd, that we took the Alarm with fome Warmth when he told us, fome few Days ago, that the Princes of the *Tiers*-Party were, by the League between themfelves to be made, to remain Neuters in Cafe the two Kings fhould refufe fuch Propofitions as would be offer'd them in the Name of that Party; and that we underftood this Neutrality to imply, that the *Swedes* fhould, in that Cafe, ftand abfolved from their Obligation to execute the laft Treaty with *France*, even in Cafe *Sweden* fhould differ from the Majority of the *Tiers*-Party, and opine that fuch and fuch Propofitions (as being too hard and unequal) were not to be offer'd to the two Kings, took the Pains to bring M. *Stradtfman* to tell us, and fatisfy us, (as he call'd it) that the Notion of ftanding Neuter in this Cafe, (as he faid) which was firft fuggefted by C. *Tott*, was now laid afide; and that the *Tiers*-Party would fay no more, (in Cafe their Propofitions fhould be refufed) but that they pretended not to give the Law to the two Kings, only they muft deny Paffage and Quarterings, throughout their refpective Dominions, to fuch Troops as fhould happen to be for their Party; and M. *Courtin* would needs have us to underftand, that the *Swedes*, when they in the Body of the *Tiers*-Party fhall have faid, they will not give the Law to the two Kings, who fhall have refufed their Propofitions, will be as fully obliged to execute their Treaty with *France*, as they were at any Time fince the making of it; but we muft confefs, we fear, that the very Offer of any Sort of Propofitions would be, in Cafe the two Kings fhould happen to refufe them, of intolerable Prejudice to their Affairs: For befides that, all the World would conclude, that nothing hard or unreafonable could be propofed by an indifferent Party; the *Swedes* will have not only a fair Pretext from the Explication they do already give to their Treaty with *France*, (in that it provides, they fay, they fhall not be bound to fupport any exorbitant Demands of the two Kings) but alfo the Authority and Decifion of a Party, which muft be reputed indifferent, to excufe them from arming in the Quarrel, as long as the Kings fhall refufe thofe Conditions they fhall pleafe to call juft and reafonable: Nor if they did arm, would they be permitted to march, or take Quarters, as being Forces belonging to a Prince of the Empire, (Duke of *Bremen*) and confequently to be prohibited to march in Aid of *France*. Therefore we moft humbly conceive it to be our great Intereft at this Time, and we do watch it as well as poffibly we can, that this Party, if it do proceed, do not of their own Heads put any Thing into their Plan for a general Peace, but what they are affured by the Minifters here, the two Kings and their Allies will finally acquiefce in; but how to fecure our Mafter's Concerns in this Particular, is that which gives us the greater Anxiety at this Time, in that the Mediators are not willing to communicate with us upon their Proceedings, but would have us implicitly to acquiefce in their Care of us, and to expect yet fome Weeks the Iffue of their prefent Endeavours.

M. *Stradtfman*, in a later Converfation with us, and if we miftake not, after fome Hints given him by C. *Tott*, told us, he underftood our Mafter's Affairs would have no great Difficulty in the accommodating, but that it would not be fo with *France*, in Regard their Differences were not only with the *Dutch*, but with the Emperor, *Spain*, and *Lorain*; being all Matters very knotty and perplexed to accommodate: therefore that he hoped, our Mafter would ufe that Authority, which his Wifdom and his Interefts give him with the Moft Chriftian King, to difpofe him to all the Abatements and Facilities that may in Reafon be expected from him, for a general Peace's Sake, in this Conjuncture: This Notion,

Notion, that our Master's Business is easy to be accommodated, we fear, he may have received from the Mediators, or the *French* Ambassadors, or both; for they would not have us to hope for any more than what they, the Mediators, have, in their Letter to the *Dutch* Ambassadors in *September* last, projected for us; we take leave herewith to inclose that Letter, least the Copy already sent may not be easily found. This Letter was then design'd for no more (as the Mediators assured us) but to keep the Negotiation alive, and not to be a Prejudice, as it is declared in the Letter itself, and so it was by the solemn Promises of the Mediators, upon our Exceptions to it, and Protestations against it, to our Pretensions both in the Points mentioned, and in the Points omitted in that Letter: It is true, his Majesty in his last Instructions hath given us Liberty to come as low, or yet lower than that Letter; but the Mediators knowing nothing of his Majesty's last Abatements, have no Warrant to reduce us to the Terms of that Letter, in the Project, which, it seems, they intend shall be offer'd in the Name of the *Tiers*-Party, to his Majesty.

Monsieur *Stradtsman* told us likewise, of a Conversation he had lately had with M. *de Lyra*, and that he had avow'd to him, he had now no Character here, his Commission being expired, since that *Spain* is become, upon the open Breach with *France*, a Party Principal in the War: That *Spain* will, (as M. *de Lyra* affirm'd) tho' it be but newly entered, or rather forced and drawn in by the Hair of the Head into the War, forthwith agree to a Peace, as shall be still to their Disadvantage and Loss, provided it be sure, and such as they may promise themselves will be lasting. He says, Treaties and Guarrantees will not satisfy them, the having of some strong Places to cover them in the *Spanish Netherlands*, is the only Thing that they (as he says) esteem to be sure: M. *Stradtsman* said, the *Spaniards* have an Eye upon *Charleroy*, *Acth*, and some other Places, for which they would give the Value that should be convenient for *France*, if they may have them restored to them.

Monsieur *Meyer*, the Envoy of the Elector of *Bavaria*, gave us his first Visit on *Wednesday* last; his Complement had nothing in it in his Master's Name, nor did he enlarge to any Particular of his Business here, or of the *Tiers*-Party; he apprehended, he said, the Matter of the Peace to be very difficult, as Things now stand, but much was to be hop'd from the Generosity of the Emperor, tho' there was to be a Mixture of Fear, from the Difficulty to satisfie *Spain*: To this Effect it was that he discours'd, but from what we have, (or rather not have from him and others) we think it our Duty, for our own Discharge, to beg of your Lordship, that it may be submitted to his Majesty's gracious Pleasure and Reflexions, that there may be Things very prejudicial to his Majesty's Affairs concluded between these Princes of the *Tiers*-Party; and we, tho' we watch them as narrowly as we can, neither heard in them, nor know any Thing of them. For Instance, the determining of such and such Conditions to be fit for his Majesty to accept of, or the declaring the King of *Sweden* not obliged to execute his Treaty with *France* but upon such and such Terms, or (as Duke of *Bremen*) not to be permitted Passage to the Assistance of *France*, as long as the *French* shall refuse the Propositions of the *Tiers*-Party. This we do take leave to observe, not out of any Prejudice we have against the *Tiers*-Party, or their Design; we find all Men here look upon the Interposition of it, as the only Means now left to come to a Peace; but we cannot but call to Mind, what his Majesty, upon very good Considerations, as well as the

Most

Most Christian King, may expect from the Arms of *Sweden*, and yet what little Appearance of any good Effect from their Arms in Conjunction with this Party; which is not like to be drawn, as Things now stand, to any speedy and brisk Declaration or Action.

It having pleased your Lordship, by your Dispatch of the 1*st* of *December*, to command from us a summary Account of those authentick Justifications we may have before us, whereby his Majesty is warranted in his principal Demands from the *Dutch*. We having not negotiated those Points otherwise than by Word of Mouth, most humbly beg Leave to lay before your Lordship those Arguments, which we have upon Occasion discoursed to the Mediators and others, for the supporting of his Majesty's Demands about the *Flag* and the *Fishery*.

First, for the Right of the Flag; as often as we have been told, that Proofs might be demanded from us of our Possession and Enjoyment, we thought it our Duty to answer, *First*, negatively, that his Majesty would never endure a Practice, and an Observance so notorious and so ancient, and so universally conform'd to, to be question'd in Matter of Fact; nor put himself upon the Proof of a Thing so avowed, any more than he would the proving of *England*'s being an ancient Monarchy. 2*dly*, Positively, that there needs not a fuller Acknowledgment of the Right of the Flag, as to the Substance of our Demand, than the Stipulation made of it by the *Dutch* themselves in *Cromwell*'s Article; where the Usage intended to be established by that Article, is very clearly supposed, and admitted to have been the Practice of former Times and Governments: But that, if need were, we have among our own Records, Testimonies most authentick and most ancient; one of our King's (King *John*) having, by his Statute or Ordinance, near 500 Years ago, declared, that those who should refuse to strike to the Flag, should be treated as Enemies, though they should be Friends; and in this Statute this Usage is not established, but supposed. Besides, the Instructions of our Admirals to their Officers for the Winter and Summer Guards, have always an Article requiring this Observance to be look'd to and exacted; which in the Journals of those Officers are constantly accounted of. But above all, the concurrent Practice of all Nations without Hesitation, much less Dispute, is a Testimony not to be parallell'd in any Case for the Weight, Universality, and Undoubtedness of it; for there is nothing that Witnesses (if we were in a Course of Law) can depose for an immemorial Possession, but an infinite Number of Foreigners must say for ours, and that (if they say true) even against their own Interest.

That which the *Dutch* do most glory in is, that there is no Circumstance in this Point that we contend for, but they have brought *Cromwell* to quit and give over in the Treaty of 1654; — for Example, that a whole Fleet should strike to an *English* Man of War: This *Cromwell* had put into his Project, but it was struck out, and came not into the Article; however, in this they are willing to yield to his Majesty: Another Thing is that they insist upon, that *Cromwell* had inserted into his Project, that *Striking* was an Honour, or Respect due to the *English*; but that those Words did not find Place in the Article. Whether they will be so uningenuous, as to contend against the Relative Word *with as much Respect*, (in the Project as we are now to give it in) we do not yet know: Our Endeavour shall be, to have Words secure a full Expression of former Usage; since their own Practice, where they themselves set up, (as they do in the *Indies* for the Right of the Flag) will put a great Value upon the Observance. They say further, and 'tis true, that *Cromwell* in his Project proposed, that they should strike to the

the *English* without Difference or Limitation of Place; but that in the Article he was confin'd to the *British* Seas. Here 'tis not to be expected, that they will allow all that Tract between *North* Cape in *Norway*, and Cape *Finisterre*, to be the *British* Ocean; nor are we directed, upon the Project last sent us, to pretend to it; but they will be sure invidiously to alarm the *Dane* and the *Swede*, the *French* and the *Spaniard*, upon this Occasion, and will contend hard rather than yield us to go *Northward* beyond their *Belgick* Shores, or to allow us more than they did to *Cromwell*; for they take Notice, that the Usurper being resolved to patch up a Peace, was content to take any Thing they would give his new Republic; and they glory, that themselves were then very low in comparison of *England*: However, this being a Point his Majesty hath, by an Article directed by himself, commanded us to contend for, we shall not fail to approve our Obedience in the best Manner we can. The late *de Witt*'s Circular Letter discovers to us a Point of Chicane, which we must endeavour to prevent, upon the Words *obviam dederint* in the Article. For he pretends, that their Fleet being at Anchor, and not in a Course under Sail, whereby they might have been said to meet the Yacht, was not obliged to the Salute; and the Mention of this lamentable Shift to elude the Article, will be a sufficient Evidence with all Men unbiass'd, of that Uningenuity, as well as Arrogance, wherewith they have always treated this Affair. MY LORD, we are interrupted by the early Departure of the Post, that we must beg Leave to reserve what we had to say for the Fishery, till the next Ordinary; and to subscribe ourselves abruptly, but with all faithful Duty, MY LORD, &c.

To the Earl of *Arlington*.

Cologn 23 Decem. / 2 Jan. 1673.

MY LORD,

THE last we presumed to trouble your Lordship with, was of the 19/29th, a Copy of which goes here inclosed, since which we have no *English* Pacquet come in, the ordinary Mails of *Brussels* and *Antwerp* having, it seems, failed this last Ordinary, by what Accident is not known.

WE had well hoped, that this unlucky Matter of the Elector of *Cologn*'s separate Accommodation, of which we have been forced to give your Lordship these last six Weeks or two Months, so many and so long Troubles, had been over; but we find, since our last, that for Want of that effectual Support and Satisfaction, the Elector was then made to hope from the Court of *France*, the whole Thing is like to revolve upon us again. On *Saturday* 20/30th past, being at Prince *William*'s in the Evening, he took us aside, and begun to renew his Complaints on the behalf of the Elector, against the Court of *France*, that notwithstanding all that had been promised many Weeks ago, in the Time he was most pressed by the Importunities of the Baron *de Lysola*, and his own Straits, to quit the Alliance, as to his Satisfaction he then proposed in the Court of *France*; yet in all this Time not one Word had been made good of it: Nay, that now, for any Thing he could see, they were not to expect that any Thing could be done. To this Purpose, he read us a Letter, he had then newly receiv'd from M. *de Pompone*, the Substance of which, as far as we can recollect it upon once hearing it read, was, that

that he, M. *de Pompone*, had read what he, the Prince, had last writ, (which was, to press the Court to make good what they had so often and so solemnly promised, in order to the Elector's Satisfaction, *&c.*) that assuredly, the King would do all that depended on him for the Elector's Satisfaction, but that it was possible there might be some of those Points the Elector proposed for his Satisfaction, which the King might find a Difficulty to comply with; that they expected, from the good Will and Affection of him, the Prince, that in those Points he would, according to his known Dexterity and Address, bring the Elector to acquiesce in the Mind and Reasons of the King; that he, the Prince, had govern'd the Thing with Success in a much harder Time, *viz.* when the first Terrors were upon the Elector, and the Enemies Armies triumphing and insulting at the Gate of the Town; and now those first Fears of the Elector were passed, and the Enemies Armies drawn off into their Winter Quarters, they could not but promise themselves, that he would be much more able to keep the Elector right, and so to order the Matter, as to bring the Elector to moderate his Expectation in the foregoing Points, to what should be the King's Mind; that upon the whole Matter nothing Categorical would be answer'd in these Points by the King, till the Sieur *Dufett*, whom the Elector is sending upon that Errand, were arrived at Court.

These were the Heads of that Letter, to which the Prince had answer'd as he read over the *Brouillon*: "That as to him, the Prince's "Conduct in all this Matter, he beseeches the King to rest assured of "all imaginable Zeal and Fidelity on his Part, he and his Brother the "Bishop having placed all their Hopes and Dependance upon the Interests of that Crown; but that he pray'd his Majesty not to suffer "himself to be abused by a Belief, that it would be possible to put off "the Elector any longer with fine Words and Promises: That the "Elector himself, how slow and unapt soever he was otherwise to meddle in his own Business, was by these long Delays and Disappointments on the Part of *France*, now so heated in the Thing, that he, "the Prince, found it could be no longer in his Power, nor any Body "else about him, to quiet his Resentments, without a real and effective "Satisfaction in the Points he had proposed; that truly and really he, "the Prince, did not see how, being trusted so entirely as he had been "by the Elector, in all this Affair between him and *France*, from the "very first Overture of an Alliance in order to this War, he did not see "how in Honour and Conscience he, the Prince, were it in his "Power, could any longer perswade him to reject the Overtures that "had been made him on the Part of the Emperor for his particular "Accommodation, against the Opinion and Advice of the greater Part "of his Chapter, and the Estates of his Country; that they were extreamly mistaken in the Judgment they made of this Matter in the "Court of *France*, if they believed it an easier Task for him, the Prince, "to quiet the Elector now, than it was to do it some Weeks ago, at "the Time of the Siege of *Bonne*, &c. as he, M. *de Pompone*, seem'd to "insinuate in his Letter; for as, on the one Hand, the Elector's Terrors "and Surprize at that Time were great, upon the sudden Inundation "that he found broke in upon his Country; so, on the other Hand, his "Hopes were made great too, by the repeated Vows, Promises, and "Protestations of the *French* Ambassadors, seconded by a kind of Compliment and Warranty by the Ministers of the other Allies, (who appear'd much concern'd in that Occasion) that a speedy and effectual "Succour would be infallibly sent for the Recovery of his Country, and

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"effectual Care taken for some additional Allowances, whereby to "enable him to subsist himself in his Person, and to entertain His Troops "and Garrisons, *&c.* Whereas, said the Prince, at present, the Elector "finds that all that is come to nothing, the pretended Succours under "M. *de Luxemburgh* having, under that Pretence, only amused the "Elector, to make Use of his Country to gather their Body together in; "and now that they have eaten upon the Country as long as it could "maintain them, are call'd away into their Winter Quarters, God "knows where, and to return God knows when and how: So that "he concluded, that they were mistaken extreamly in the Court of "*France*, if they did not think it would be infinitely more difficult "now from henceforth to continue the Elector longer in the Alliance, "than it was to keep him to it in the first Fit of his Distemper: And "this he pray'd them in his Answer to conclude and reckon upon: He "closed his Answer as to this Point, that the Truth was, the Elector's "Passion and Resentment upon this Article had been so great, that he, "the Prince, had had all the Difficulties in the World to keep him from "sending immediately an Express to *Vienna*, with a *Carte blanche* to the "Emperor, these two Conditions only reserv'd, that the Emperor would "allow, that the *Imperial* Garrisons, at present in this Town, should "receive their Orders from him, the Elector, which should be, not to "act any Part in this War; and that the Emperor would please to "take Care, he, the Elector, should have reasonable Conditions from "the *Hollanders* in the Peace that should follow. This Prince *William* "told them, was the Message the Elector was otherwise most peremptorily bent to send to the Emperor; but that he, the Prince, had "prevail'd with him to suspend any Thing of that kind, till he had "seen what *France* would say to his Propositions, which they pretend "they were ready to satisfy him in, so soon as his Agent *Duffett* should "arrive at *Paris*; that then he, the Elector, would see if they dealt "fairly with him; if not, then he would be justified to the World to "make this Step, in order to a separate Accommodation: And thus "the Prince had found a Way to avoid that Extremity for the present, "by which he left them, the Ministers of *France*, to judge of the Despair the Elector was now reduced into, and of the Impossibility there "would be of further managing of him, when once he should find "nothing was done for his Satisfaction upon the Arrival of *Duffett*."

This was in Effect what Prince *William* return'd in Answer to that Letter. To another, in which M. *de Pompone* had, it seems, reflected upon Prince *Herman* of *Furstemburgh*, eldest Brother to this Prince *William* and the Bishop of *Strasburgh*, and principal Minister in the Court of *Bavaria*, as if he had been wanting to bring that Elector effectually to execute, this last Summer, the Treaty of Assistance he hath with *France*, when the Emperor first marched out of his Hereditary Countries: To that Prince *Herman*, as Prince *William* in the close of that Letter says, makes Answer: — That besides that it was not in his Power, to lead as he would in all Things the Council of that Court, he did not see how it could be expected from the Elector of *Bavaria*, that he alone should throw himself and his Country into so evident a Danger, upon the Engagements of the Treaty that he had with *France*, while he saw other Princes, more principally engaged than he was to enter into Action, and upon much more profitable Terms, yet to keep off and avoid it (meaning *Sweden*); and if he should have entered into Action, whereas the Help and Assistance he was to expect from *France*, to support him against the whole Force of the Emperor, that would

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infallibly have turn'd upon him in that case; could he, the Elector of *Bavaria*, have relied upon the *French*, that they would have hazarded their Armies, to have crossed all that Enemies uncertain neuter Country, that lies between *France* and *Bavaria*, to have defended him, when he finds they have abandon'd the Elector of *Cologn*, who is at their Door, and where they had two or three very considerable Armies in the very Neighbourhood; how could he, Prince *Herman*, have answer'd it to his own Honour, to have seen his Master outed of his Country, as the Elector of *Cologn* is, without any the least Appearance or Thought on the Part of *France* for its Recovery? — This Answer of Prince *Herman*'s, we found, had been made very home and sharp; but what Prince *William* principally observed from it was, that the great Misfortunes under which the Elector of *Cologn* is fallen, and like to be left to suffer, hath a most unlucky Effect upon the Minds of our Allies and Well-wishers; and much more, it is to be feared, will it have upon the middle and undeclared Part of the Empire, of whom otherwise we might possibly have had some Hopes for the future.

Besides this, Prince *William* told us, the Elector had resolved, as a further Mark of the Sense he was now brought to have of his own Affairs and Usage, to take Notice to the Most Christian King, how much he, the Elector, suffer'd in the Opinion of the World, in that he had delivered his only Places of Strength, *Nuys* and *Keysaerswaert*, to be wholly in the Hands of the *French*, under a Pretext, as if the *French* Garrisons had been placed there six Weeks ago to preserve them from the *Imperialists*; whereas the World began now to say openly, it was indeed that the Elector might be no longer Master of them, however he had a Mind to dispose of them: But that the King of *France* was resolved henceforth, by those two Places, to be Master of him and his Country: This, the Elector said, being a great Reflexion upon the Honour and Justice of the Most Christian King, as well as upon the Discretion of him, the Elector; he, the Elector, would therefore pray his Majesty, that order might be immediately sent to those Garrisons, to obey him, the Elector, in all Things; that so he might have wherewithal to contradict that malicious Gloss that was put upon the Thing to the World. This, Prince *William* said, the Elector was resolved forthwith to make a peremptory Demand of, and did not deny, but that the Elector's Intention in doing it, was in a great Measure to satisfy himself, as well as altogether the World, in the Point. And to give the greater Weight to all this in the Court, we find by Prince *William*, the Elector is resolved at the same Time to write to the King our Master, representing the sad Conditions he and his Affairs are brought into by Occasion of this War; and to pray his Majesty's effectual Interposition with the Most Christian King, that a speedy and certain Care may be taken for his Relief in all kinds; otherwise, that his Majesty, our Master, will not take it ill, if the Elector, being no longer able to suffer so great Extremities, and losing all Hopes of Deliverance, do at last hearken to the Accommodation that is offer'd him: Such a Letter the Prince told us, the Elector meant to have ready, to put into our Hands, to be sent to the King by this Post; praying us to accompany it with the Assurances of the Elector's most humble and faithful Respect and Devotion towards the King our Master, and his Interests, in all Occasions; which we promis'd to do with all Punctuality.

Among other Things upon this Occasion, the Prince told us, that Part of the *Imperialists* having now taken up their Quarters in the Diocese of *Heildensheim*, a Country belonging to this Elector, and lying

within the Circle of the *Basse Saxe*, the Elector was resolved, in his next Dispatch, to pray the *French* King, that he would send him a Letter for the Duke of *Hanover*, whereby he the Duke shall be summoned, in Execution of his late Treaty, forthwith to oppose the *Imperial* Troops taking Quarters in the said Diocese; which by the Air and Manner Prince *William* said, it looks as if it were done, on the one Hand, to mind the Most Christian King how much he the Elector and the whole Alliance are brought to suffer by the Non-Action of those other by-Allies, which *France* undertook to bring to its Assistance, and by Consequence to raise from them an Argument for his own Justification, if he, the Elector, shall happen, by the Example of so many other Princes, that ought to have been long e're this in Action, for the same Cause and Interests, now at length, after so great Sufferings, to hearken to a separate Accommodation.

Saturday in the Evening, we made a Visit to M. *Stradtsman*, the Duke of *Newburgh*'s Minister, to acquit ourselves of the Orders his Majesty was pleased to give us by your Lordship's last, of assuring that Duke of the Continuance of his Majesty's Kindness and Concernment for all his Interests; and particularly, the Pretensions he may reasonably have, at the winding up of this Treaty, for some Degree of Reparation for the many Spoils and Wasts his Countries have been exposed to, from all Parties, during this War, which M. *Stradtsman* received in the Duke's Name, with all imaginable Respect and Acknowledgment, saying, he would not fail immediately to give his Master an Account of his Majesty's great Grace, in the Part he was pleased to take in what concern'd him and his Affairs; and on the other Side, he pray'd us, with the Offer of those humble Acknowledgments on the Part of the Duke, to assure his Majesty of the Continuance of the Duke's most particular Devotions to his Majesty's Person and Interests, which he would study all Occasions possible to give his Majesty Proofs of. And this lead him to speak of the Treaty, and the unfortunate State it has so long continued at a Stand in: He told us of several Conversations he had had with the Emperor's and *Spanish* Ministers upon those Matters; the Sum was, that he had found by them, the Thing they look'd after, as far as could be gather'd from their Discourses, was not at all to engage in a War, but to be sure to be sufficiently comprehended in the Peace; that what they principally sought for in the Peace, was to have it such as might be lasting; that the Terms and Conditions either of them, the Emperor, or the King of *Spain*, would pretend to in the Treaty, would not be at all difficult, as they said; the main Thing they aimed at in all this, being to take care that what Peace shall be now made, be it what it will as to the Matter of it, shall be durable and lasting on the Part of *France*. That in Order to this, *de Lyra* told him, there was one Thing above all others, that they most looked after; and which, being complied with, would be a certain and infallible Means to bring *Spain* heartily and effectually to facilitate the Peace, in whatever Points should any Way depend on them; and that was this, that whereas *France*, by these late Conquests, had possessed themselves of certain Places so very deep in the Heart and Bowels of the *Spanish Netherlands*, that it was almost impossible (were the Inclinations and Dispositions never so sincere on the Part of *France*) for them to live well together, while the *French* hold those Places; the real Occasions of Disgusts and Disputes would be so frequent, so unavoidable, this Kind of Condition and Mixture so uneasy, and inconvenient to *Spain*, it was hardly possible, but that Differences would daily arise upon it: Besides that, whatever it were in

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Effect as to the Point, it was most certain, that while those Places remain'd in the Hands of *France*, *Spain* could not believe themselves secure in any Peace that should be made, how solemnly soever otherwise warranted and secured, and much more, in Case they should find *France*, after an Overture made for a fair and reasonable Exchange of these Places, to persist absolutely to refuse to part with them. Those Places, he said, were principally *Charleroy* and *Aeth*, if *France* would be brought to hearken to a fair Exchange of them, for Places otherwise of equal Consideration somewhere towards the Frontiers, less in the Heart and Bowels of the Country, *&c.* it was certain, that would not only quiet the Mind of *Spain* in the general, and satisfy it, that a Peace would be lasting, and as intended by *France* to be so, but even be a Means to engage *Spain* to facilitate the other great Difficulty which concerns the Matter of the Peace between *France* and *Holland*, viz. the finding an Equivalent for *France* in the *Spanish Netherlands*, in lieu of those Places *Holland* is to yield to them. This M. *Stradtsman* told us, he found was the great Thing *Spain* at present had in their Eye, in which, if it were possible to satisfie them, he verily believed, the Work of the Peace would not be at all difficult in none of its Points, as to *Spain* and the Emperor; and this we find likewise confirm'd to us from several other Hands; and that indeed any Exchange of one of these Places, which the *Spaniards* say, are so very intolerable to them, is the Thing they propose to themselves, above all others, in this Treaty, if possibly it could be obtain'd: M. *Stradtsman* told us, he had upon this spoken to the *French* Ambassadors in the Point, but he found the Thing wholly new to them, and without their Instructions; that they seemed to think it a Thing their Master would never hearken to, or if he would, that the Places were known to be of such infinite Importance, as well for their Goodness and Strength, as for their advantageous Scituation, that it would not be easy for *Spain* to find an Equivalent for them.

As to the Business of the *Tiers* Party, we told your Lordship in our last, what the principal Points of the Plan they were framing were said to be, and the Exception we had taken to the Condition, it was reported, they were proposing by their secret Article, to tie themselves in; to wit, in Case the intended Project should happen to be refused on the Part of the two Kings, they, the Allies, should be obliged to hinder any Troops from marching through any Part of the Empire, to the Assistance of any of the Parties to this War. This Condition we look'd upon as derogating in a great Measure from the present Treaty *Sweden* stands engag'd in towards the two Kings, and that it would wholly suspend the Execution of that Treaty on their Part; and therefore we thought it our Duty, till we understood his Majesty's Pleasure to be otherwise, to make this Exception to it in the mean Time, as to the Thing itself; and then, as to the Manner of doing it, we thought we had Reason much more to except, in that the Mediators had not pleased to give us some Way or other underhand, and in private, the Communication of what they were doing in the Thing; which we have therefore since taken Occasion to give them, as well as the *French* Ambassadors, to understand, we cannot but hope, they will please, for the future, to take a little Care of: Because, as we apprehended, his Majesty, from the first Overture of this *Tiers* Party, had as to himself readily declared his liking of the Thing, and by his Example lead the Most Christian King to agree at length to it; so, we apprehended his Majesty had taken it for granted, that considering how far our whole Interest

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in the Peace would be put into the Hands of this *Tiers* Party, his Majesty should be sure, from the Friendship and Alliance of *Sweden*, from Time to Time to have private and underhand a Knowledge how Things moved, what was doing, and upon what Reasons: So that his Majesty might be secured, Care was had of a fair and honourable Satisfaction to be provided for his Majesty in the Issue of all: This we have taken Occasion to intimate to the Mediators, who continue to assure us, with all the Protestations imaginable, that as to the Project itself, when that comes to be framed, nothing shall be done but with our Privity, tho' it might be with all possible Secrecy for the Importance it would be of; that they, the *Swedes*, do not appear in any Degree partial, or interess'd in this Work: What they do now, they tell us, is only at large to discourse and debate what Kind of Form to give their Alliance, under what Conditions to offer the Projects to the respective Parties, and in what Way their Alliance shall be active and effectual for the procuring the Peace, in Case the Projects come to be refused by any of the Parties: They were meant, as we were told, to have this first Sketch of it ready to have sent to *Sweden*, by the last *Saturday's* Post; but it seems it is not yet so finally agreed upon: M. *Ehrensteen* (one of the *Swedes* Ambassadors) having desired to consider it a little further in some Points, and we are made to hope a Copy of it by the Means of M. *Stradtsman*, so soon as it shall have finally been adjusted among them, which will be in a Day or two.

In the mean Time, M. *Courtin* tells us, that having spoken last Night with the Count *Tott* and Monsieur *Sparr* upon the Matter, and minded them, how much it would concern them to take care, not to agree to any Thing in this Plan, that might tend to dispense with them, the *Swedes*, from an effectual Execution of the Treaty they have with us; they both protested to him, there was no such Thing intended; that it was most plainly to them, that not only in Honour and Justice, the Treaty they had with the two Kings, but really and truly in their own fundamental Interests, *Sweden* was obliged to the utmost to take care they come off well at the last, in the Engagements they have with the two Kings; and for their own Parts, they looked upon *Sweden* utterly undone, in Case it should fail in that Point; that for their two Parts, this was absolutely their Judgment towards the essential Interests of their Master; and therefore, he ought to assure himself, it was their Care to know every Thing that Way, and to bring them at Home, to take brisk and vigorous Councils in that Matter; intimating, that their Collegue, M. *Ehrensteen*, was in some Things of a more wary and less resolved Complexion as to this Point; one was, that he had found by them, C. *Tott* and M. *Sparr*, as to the Matter of communicating underhand to us, what should pass in this Matter of the *Tiers* Party; that they had Orders from *Sweden*, not to acquaint any of the Parties with what they were doing in the Thing. And that particularly, as to us, they were a little the more Shy in what they said to us, of any Thing, ever since what my late Lord Chancellor had vouched them for in his Speech. We told him, any such Orders as those, not to communicate to us what they should be doing here, in a Business that should so near concern the two Kings, was, we thought, a very strange Order, and that we ought by all Means to acquaint the King our Master with it; and as to the other Point of their Shyness toward us, we thought they had no Reason for it; being in the Sence they had interpreted to the *Dutch* Ambassadors what my Lord Chancellor had said in his Speech, they themselves had, without Difficulty, own'd to have said what was al-

alledg'd of them, and more than that, we did not own ever to have written of them; and therefore we could not see they had any Reason to distrust either our Ingenuity or Discretion: That we would neither add any Thing to what they should at any Time say to us in the relating it, or that it should be known or taken Notice of, otherwise than as it properly and reasonably might, and without their Prejudice.

We are told, that the *Swedes* suspecting in all Probability the Business of the *Tiers* Party will not come to much, unless they can be able to gain *Brandenburgh* into it, are trying to see how they can turn the Business of *Poland*, in which that Elector is certainly much concern'd, so as to be able, by the Assistance they may give him in that Matter, to bring him to joyn with them in this. And that to this Purpose, the *Swedes* would be glad, by the Help of *France*, that an Errand might be shaped for M. *Stradtsman* to go to *Berlin*, i. e. it is concluded, there would be no Prince set up for the Pretension to *Poland*, so much to the Mind and Interest of *Brandenburgh*, for many Reasons, as the Duke of *Newburgh*; and therefore *Sweden* is trying to see how this Matter could be shaped, with the Help of the Court of *France*, to shew the Elector of *Brandenburgh* a Likelihood of being able to advance the Duke of *Newburgh* to that Crown, and upon that Consideration, to bring that Elector to mix with them in the Affair of the *Tiers* Party. This is a Thing we find they have upon the Anvil, but as yet *France* not having declared any Thing of their Mind as to the Affair of *Poland*, it cannot be known what Effect this will have. We find the Prince of *Lorain* in the mean time drives on his Pretensions with great Vigour, being himself gone this last Week to *Vienna* in Post.

Your Lordship will receive from Mr. *Bulstrode*, who continues at *Brussels* for that Purpose, a more fresh and particular Account than we can have here, of what passes between M. *de Monterey* and the Duke of *Luxemburgh*; this last is look'd upon as in a great Strait, unless timely fetch'd off, which, they say, the Marshal *de Belsonds* and M. *de Montal* on the one Side, and some Part of M. *de Turenne*'s Troops on the other, are now endeavouring to do; so as it is not unlikely but some Action may pass between them. M. *de Lysola* has been, it seems, all the Time of his Disappearance from hence, with M. *de Monterey* and the Prince of *Orange*, and is now, within these 4 or 5 Days, gone to *Liege*, to try what he can do with that Chapter, and the Estates of the Country, for the bringing them over to the Emperor and his Party; and more particularly to prevent them, if possible, and hinder any Propositions from passing from that Place and Country, to the *French* Troops at and about *Maestricht*.

My Lord, The Departure of the last Ordinary so overtook us, that we had not Time to add those few Things, which we thought (in Obedience to your Lordship's Commands) to say of the *Fishery*, after we had given a summary Account of the *Flag*. As to the Fishery, we have more to say for his Majesty's Right to demand an Acknowledgment, than we have for his Possession of any Droict, regularly paid upon that Account, for besides that many Writers of good Note do hold, that Fisheries may be appropriated in the high Seas, as well as in Rivers or Lakes; it is certain, that the Republick of *Genoa* do let to farm the Fishing of *Thunies* in their Neighbour Sea; and the Contracts between Queen *Elizabeth* and *Denmark*, about the Liberty of Fishing upon the Coasts of *Norway*, as well as the Prohibitions made, and the Licenses given by that Crown, do at this Day sufficiently evidence, that the *Dane* is, and hath been of a long Time in Possession upon the Coasts of

of *Norway*, of as much as we contend for to be due to his Majesty upon his Seas. As for our domestick Evidences, we have an Act of Parliament in 2 *Rich.* II. for imposing six-pence a Tun upon every Vessel (as well Stranger as our own) that fished for Herrings within the Admiralty of the *North*; we have the several Successors of that King granting Licenses to the *French*, and the Subjects of the House of *Burgundy*, to fish on our Coasts; and the like Licenses have been taken out by the Fishermen of *Diep*, and by the City of *Bruges*, even since his Majesty's happy Restauration. We have some Instances made by King *James*, by his Ambassador in *Holland*, and by his Secretary of State at Home, for the Adjustment of this Affair with the *Dutch*; and we have an Acknowledgment actually paid by the *Dutch*, and accounted for to the Exchequer by the Earl of *Northumberland*, in his late Majesty's Reign. That which the *Dutch* object to us, is their quiet Possession of the Liberty of Fishing these last 200 Years, and the Treaty called *Intercursus magnus*, between *Henry* VII. and the House of *Burgundy*, in the Year 1495. For the Possession, it appears by our Records, it was still with the Licenses of our Kings, Strangers always either having special Licenses, or else being under the Protection of the special Officers of those Times, appointed for the safe guarding of the Fishing. For in *Edw.* IV. *Rich.* III. and *Hen.* VII*th*'s Time, there were Officers impower'd by Patent to that Effect; and as they had certain Dues for that Attendance, so they were to levy them upon all Foreigners, with this express Direction in *Hen.* VII. Time: — That the same was to be levied, notwithstanding any Letters of safe Conduct that Strangers Fishermen might have, from any King, Prince, or Governor whatsoever. Besides, the *Dutch* asking Leave from the Governor of *Scarborough* to fish, was in Practice in Queen *Elizabeth*'s Time; and King *James*, by Proclamation in the 7*th* of his Reign, prohibited all Strangers to fish in the *British* Seas, without Leave first asked and obtained; which, together with what the Earl of *Northumberland* did, in levying this Droict, shews how interrupted and precarious the Possession pretended by the *Dutch* hath been all along.

As to the *Intercursus magnus*, it is not to be denied, but that the first War which the Crown of *England* had with the House of *Burgundy* after that Treaty, extinguished all the Privileges, and cancell'd all the Obligations in it: Nor can it be pretended, they were revived by any subsequent Peace since, further than Treaties or Articles can be shewed, specifying the Particulars so revived; and how far that *Intercursus* is out of Date, is sufficiently evinced, in that the *English* cannot at this Day, in virtue of it, make any Title to the many great Privileges accorded by it to the *English*; no, not among those that are truly Subjects, as the *Spanish Netherlands* are, to the rightful Successors of the House of *Burgundy*. Nor would the City of *Bruges* have sued out his Majesty's License for their Fisherboats, as they have done, had there been any Colour of Right yet remaining to them by that old Treaty. Besides, supposing that Treaty to subsist, which is against all Reason and Practice to suppose, and that it obliges the Crown of *England* to suffer the Subjects of the House of *Burgundy* to enjoy a Liberty of Fishing without License; it is not easy to conceive, how the King of *Spain* could, in declaring as he hath done, a Parcel of his Dominions and Subjects to be a Free State, or what else themselves would please; that is, no longer Subjects to him, nor Part of his Dominions, transfer an Obligation supposed to lie on the Crown of *England*, and vest it in a new erected Republick, that pretends not to derive any Thing from him, or his Prede-

cessors

ceſſors that had made this Treaty; much leſs hath any Privity in that Contract, nor yet any Acceptance or Conſent from the Kings of *England*, that may give Colour to any ſuch Transference. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{16\ Decem.}{5\ Jan.}$ 1673-74.

My Lord,

In our laſt, which was of the $\frac{23\ Decem.}{2\ Jan.}$ by the Ordinary, a Duplicate whereof goes herewith incloſed, together with Duplicates of all our Diſpatches ſince the laſt Expreſs Mr. *Smith* went hence; we humbly preſumed to give your Lordſhip an Account of what was ſaid, or rather conjectured here, of the ſecret Article, whereby the *Tiers* Party was to offer Conditions of Peace to the reſpective Confederates now in this War, and whereby that Party was to be at a Certainty, how to govern itſelf towards the Parties after ſuch an Offer made, in caſe either of them ſhould refuſe thoſe Conditions: Now we take Leave to ſend your Lordſhip the ſecret Article itſelf, as it was tranſlated out of *High Dutch*, and communicated to the *French* Ambaſſadors, and to us, by M. *Stradtſman*, the Duke of *Newburgh*'s Miniſter here, being the Perſon who drew it up. He told us, that into the Body of this Article, if the *Tiers* Party do agree to it, the Conditions to be offer'd to our Maſter and his Allies, as alſo thoſe to the Confederates on the other Side, are to be inſerted: But that they, the Mediators, and the Miniſters that treat this Affair, are not yet come to the leaſt Deliberation or Debate about thoſe Conditions; nor will they enter upon them, until the League defenſive between theſe Princes, and particularly this ſecret Article to be ſubjoyn'd to it, be approved of in *Sweden*, and by the other Princes concerned; which, ſince it does not appear that this Project is yet diſpatch'd for *Sweden*, we cannot hope to be certain of it, till the Beginning of *March*: So that the only Thing of moment at this Time, to be ſubmitted to his Majeſty's Judgment in this Affair, ſeems, as we humbly conceive, to be, whether this ſecret Article, as 'tis now penn'd, contains any Thing in it, that will directly, or by Conſequence, diſpenſe with, or derogate from thoſe Engagements that *Sweden* is now under to his Majeſty and the Moſt Chriſtian King, to enter into this War, and take Part againſt the *Dutch*? Which, if it do, we hope his Majeſty's Repreſentation will come to the Court of *Sweden*, Time enough to prevent the approving of it there; as alſo his gracious Orders to us, what Inſtances or Precautions to uſe upon this Place.

The reſt of this Project, which is ſaid to be no more but Articles of a defenſive League in the uſual Form, ſpecifying the *Quota* of each Prince, as to the Horſe, Foot, and other Requiſites for the Marching and Subſiſtance of their Forces, we have not yet communicated to us, nor do the *French* Ambaſſadors think fit we ſhould preſs for it, in Regard thoſe particular Meaſures thoſe Princes take among themſelves cannot have any peculiar Reſpect to our Affairs.

The Mediators having found by the *French* Ambaſſadors, that we were very much diſſatisfied, in that we had not from them, the Mediators, any the leaſt Communication of their Proceedings in this Affair of the *Tiers* Party, have thought fit, theſe three laſt Days, ſeverally, in private Converſation with us, to anticipate any Complaint we might make upon that Subject, by letting themſelves into a kind of *Ecclairciſſement*

cissement and Apology, (yet without owning they did either need or make any) for their having proceeded in this Matter, without acquainting us, or any of our Allies, as they said, with the Particulars now in Hand. The Substance of what they were pleased severally to enlarge upon, and in several Considerations, was, as near as we are able to recollect ourselves, to the Effect following: — That they, the Mediators, observing how little Success they were to promise to themselves, from the present Figure of their Negotiation, as Mediators, and that it is probable they must come to act as Parties in the War; have discoursed of forming a *Tiers* Party, from whom, if *Sweden* should not have any effectual Assistance at such Times as it should need it, yet would it be of some Degree of Security from the Opposition of those Neighbouring Princes; who, if they be not suddenly drawn in into some Engagement of this kind, will not be able to avoid the taking of that Part, which the Emperor offers them, with very powerful Invitations at this Time: That what they, the Mediators, have hitherto done, is no more but Discourse digested into Project, upon which they intend to pray their Master's Orders; neither themselves, nor the Envoy of *Bavaria*, having Power to conclude any Thing in this Matter; besides that, there are some Things of moment that they cannot yet agree among themselves, as the naming of a General to the Confederate Forces, in case they should be brought to act in Conjunction, they, the Mediators, taking *Sweden* as a Crown, to be in Possession of this Prerogative (as they were, they say, all along the last *German* Wars): But the Ministers of the other Princes here, are not willing to yield that Point. That as Things now stand, they, the Mediators, can scarce hope these Princes will enter into any brisk Engagement, such as they would readily have ventured upon, when the forming of this *Tiers* Party was first proposed by *Sweden*; and that these Princes, otherwise well inclined, labour at this Time under a great Discouragement, in that they cannot promise to themselves the Conjunction of the Elector of *Brandenburgh*; for were they, say the Mediators, sure of him, they might be secure from any Opposition of the *Dane*, the Princes of *Lunenburgh*, *Hesse*, *Wirtemburgh*, and others, who either would have joyn'd with that Elector, or at leastwise not have stirr'd to the Prejudice of the *Tiers* Party: But that it is very much feared, he hath taken Measures already opposite to those of the *Tiers* Party; and that it cannot be for any Good, that M. *Crockow*, a Minister, who is the furthest possible from favouring the Interest of *France*, is lately gone Post from *Berlin* to *Vienna*. Another Instance they gave us, of their little Hopes of that Elector was, that when M. *Schwerin*, his Minister here, had, upon the *French* Ambassadors Request, writ to his Father, that he would be pleased to promote the renewing of that League, which hath been lately renewed between that Elector and *Sweden*, and also dispose him to enter into the *Tiers* Party; the Elector flew off as soon as he perceived this to be a Thing that *France* desired, and would willingly have promoted, and would not be spoken with about it in 8 Days Time. And this Remark could not but give us an Occasion to reflect upon the Carriage of M. *Schwerin* here, as it is of late changed into a Figure, that concerns itself to avoid all Commerce with our Alliance, and make his Court, if we be not misinformed, much with the other Party.

Another Misfortune to the *Tiers* Party, the Mediators told us, was, that *France* stood out too long against the forming of it; and that upon Grounds wholly mistaken: *First*, They would not be brought to believe, that the Emperor would march this last Summer out of his Here-

Hereditary Countries, nor that *Spain* would come to an open Rupture with them; yet that, in both Cases, it hath proved otherwise; but that the timely forming of the *Tiers* Party might in all Probability have prevented both the one and the other: But above all Things, *France*, they said, opposed the drawing of those Princes which receive Subsidy from that Crown into this *Tiers* Party, least they should thereby pretend themselves to be dispensed withal from acting: Whereas they have not dared to act singly to this Day; not the Elector of *Bavaria*, tho' the Emperor's Troops marched through a Part of his Country, and he expresly obliged to oppose their Passage; not the Duke of *Hanover*, now that the *Imperial* Troops have taken up their Winter Quarters in *Westphalia*, and consequently he obliged to oppose them: So that now those Princes, who would not act singly, for Fear of not being seconded seasonably and effectually by the *French*, are now as backward to enter into any vigorous Conjunction with *Sweden*, least the Emperor's present Ascendant over their Neighbours do interest those Neighbours to fall upon them.

Another Thing they, the Mediators, represented to us, as a great Disadvantage to the *Tiers* Party, was, that *France* hath of late not only lost its Reputation very much in the Empire, but is become, as they worded it, universally hated; and that there can be no Conjunction so plausible to the Generality, as that for the driving of them out of the Empire. This gave us Occasion to reflect upon two or three Passages, in a Conversation which had fallen from others, tending to the same Purpose, and which (very much to our Regret) makes a Part in most Conversations at this Time. The one was from M. *Stradtsman*, who saying, that most of the Princes of the Empire, and especially all the Branches of the *Palatine* Family, do the Duke his Master that Respect, as to write to him, but especially upon the Occasion of these Holy-Days; and that he having the Honour to be made privy to the Business of all those Letters, hath observed it is the unanimous constant Note in all those Letters, that every Thing is to be done that can conduce to the driving of the *French* out of the Empire. Another Thing we have from Prince *William*, which is, that his Electoral Highness, the Prince *Palatine*, doth not only make his Complaint against the *French* in the Dyet, and in the Courts of the Neighbouring Princes, much louder than would be expected from a Prince, so entirely within the Interests of *France* as he is; but also is reported to be upon a treating at this Time with the Emperor, for putting of all the strong Places in his Country into his Hands.

Another Thing the Ministers of *Munster*, who are seldom without Observations, if not Complaints against *France*, observed to us two Days ago, was, that whereas the Complaints of the Elector of *Treves* had been heard and receiv'd at the Dyet of *Ratisbone* against the *French*, with great Resentments; that the Elector of *Cologn* having sent his Complaints of the like Nature to that Dyet against the *Imperialists*, upon the Ravages committed in his Country, his Minister was not able to get himself heard, nor his Complaint read in the Dyet; out of that Odium, as 'tis conceived, which prevails in that Assembly against the *French*, and their Partisans.

These Things notwithstanding, and every Thing else that is said, or can be said against the *French*, the Mediators told us, they must stick to them inseparably; and not only observe inviolably their Treaties with them, but that if there were no Treaties or Engagements at all in the case, they must act for them and with them, and have no other

 Party

Party to take in this War, but theirs; and that to be wanting to the *French* in this, or any other Occasion in the Empire, were to neglect, indeed to overthrow their own fundamental Interest; which, as far as concerns them upon Land, consists in an inseparable Union with *France*: In the same Manner they added, does their Interest by Sea consist in the like Union with *England*: But since there have been, they say, some Miscarriages which are not to be excused on the Part of *France*, both in the *Degâts* committed in the Bishoprick of *Treves*, and in the Affair of the Free Towns of *Alsatia*, *France*, say the Mediators, must first give some Satisfaction to the World, by promising to Dedomage and make Reparation where wrong hath been notoriously done by them, before it can be just or reasonable for *Sweden* to execute their Treaty; (which is to act against the Empire) since the fairest Pretext the Emperor hath, is to take up Arms in Vindication of that Elector, and of those Towns also, for the relieving the Members of the Empire from their present Pressures under the *French* Troops. The Advantages therefore which the Emperor hath at this Time, partly by the Successes of the last Campaign, but much more from the Aversion begotten in all Mens Minds against the continuing of the *French* Troops in the Bowels of the Empire, hath made the Mediators, as they told us, to proceed with all Secrecy on their Part in this Affair of the *Tiers*-Party; and to pretend to nothing else, but to the gaining of their Neighbours into a Posture of mutual Defence against the common Ruin, that this War brings upon all the Parts of the Empire that it reaches: choosing rather to let us come to the Knowledge of those Steps they made from the Duke of *Newburgh*'s Minister and the others, that sustained not the Figure of Mediators, than from them, whom our adverse Party do watch so narrowly, that they may, if possible, have some Pretence to wave their Mediation.

Upon this whole Matter, we not having the Honour of any special Directions from his Majesty upon the Emergent of that Reservedness, which we have complained of the Mediators for, in our late Dispatches, told them, that our Master having pleas'd to conclude himself in the Approbation which the Most Christian King should make of this *Tiers*-Party, we had thought it our Duty, to shew a Concern to the *French* Ambassadors, and to desire them, that they would satisfy themselves and us, that the Engagements of this *Tiers*-Party were no other than such, as might well consist with the Treaty between us and the *Swedes*, having beseeched them, that they and we might joyn Heads and Hands together, to prevent, if possible, the entring upon any wrong Measures of that King: But that now we were satisfied, their Excellencies were not yet come to the Conditions they intend to offer us, as also we were now freed from further Anxiety upon the Promises they each of them in Particular made to us, that they would have all the Care possible of our Master's Honour and Interests, if ever they come to the Point of framing Conditions to be offer'd to him; especially, since we had Assurance from them, that nothing of that Kind should be enter'd upon, much less agreed and concluded, without our Knowledge, which they repeated to us with very solemn Protestations: and as for the Manner of communicating what they should from Time to Time do or project, we did submit it to their Discretion, hoping, as we told them, they would enable us to give as early and as certain an Account of Proceedings here to our Master, as other Ministers might pretend to do to theirs: And thus, we hope, we are come to a sufficient good Understanding with them upon the Point of their Proceedings in this *Tiers*-Party.

Mr.

Mr. *Bridgeman's* Letter of the 15*th* of *December* coming to Hand, and adviſing us, that an Expreſs was to be ſent hither within a Day or two after the Writing of that Letter, we have not diſpatch'd our Expreſs as we intended, in Company with this Day's Ordinary; but have reſerved him till we know what your Lordſhip's Pleaſure is by that Expreſs. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{30\ Decem.}{9\ Jan.}$ 1673-74.

My Lord,

SINCE our laſt, which was of the $\frac{26\ Decem.}{5\ Jan.}$ we have a Duplicate come to Hand of that Letter of the 17*th* paſt, which your Lordſhip hath done us the Honour to deſign us by an Expreſs, the Expreſs himſelf not yet appearing.

This Duplicate brings with it his Majeſty's Anſwer upon the *Spaniſh* Ambaſſador's Memorial, which as it affects us with all the Veneration and Joy poſſible for the excellent Temper of it, ſo it happens to come very ſeaſonably (as we hope) to our Relief, in a new Embarraſs we are lately fallen into with the Mediators.

For we have underſtood, as well from the *French* Ambaſſadors, as from the C. *Tott* and M. *Sparr* themſelves, in their private Confidences (as they expreſs it) towards us, that the Court of *Sweden* is at this Time much alarm'd, (and C. *Tott* did as good as tells us, the Alarm comes from what the *French* Miniſter there [M. *Feuquieres*] hath let fall) that the King our Maſter hath uſed Inſtances with the Moſt Chriſtian King, that he would give Way to the King of *Denmark* to come in, and admit him to bear a Part in this Mediation: The Count and M. *Sparr* enlarging with much Concern upon this Subject, and telling us, that nothing can be more unwelcome to the *Swede*, than ſuch an Overture; ſince that not only the Averſeneſs, and as it were, the Antipathy of the one Nation againſt the other, as alſo the Competition in Point of Rank, would render it exceeding difficult to bring any good out of ſuch a Conjunction; but that above all Things, the Intereſts of *Sweden* in the Empire do oblige them to uſe all Watchfulneſs and Means poſſible, to keep off *Denmark* from intermeddling in thoſe Things that concern the Peace of the Empire; and that it was for this Reaſon, (as M. *Sparr* told us) that Count *Tott*, in his late Embaſſy at *Paris*, explain'd himſelf ſo freely to the Moſt Chriſtian King, after he had entertain'd him upon thoſe ardent Deſires, which the King of *Sweden* had to do his utmoſt good Offices, to reſtore the Parties now in the War to a good Underſtanding, and Peace with each other; and that he, the King of *Sweden*, would not refuſe the Conjunction of the King of *Denmark*, to co-operate with him in ſo good a Work; telling the Moſt Chriſtian King, that if his Majeſty did deſire, as he had intimated, he ſhould tell his Mind, *en honneſte homme*, he muſt and did confeſs, that he had an Article in his private Inſtructions, to labour all he was able underhand, that the King of *Denmark* might not be admitted into the Mediation, and gave the Reaſons abovementioned for the Juſtification of his Maſter's Councils in this Point. Count *Tott* added, that they, the Mediators, were now upon the Point of giving us a good and honourable Peace very ſuddenly; but if not, then of entring into the War, and bearing their Part with us in all Vigour this next Summer; that we ſhould hear very

very suddenly, that M. *Feuquieres* hath, since the Return of the Court to *Stockholm*, all the Satisfaction possible given him, that *Sweden* is at this Time, in very vigorous Resolutions as to the War; and that he, Count *Tott*, had Advice this last Ordinary, that the King of *Sweden* was entring into a strict League for that Purpose, with the Duke of *Hanover*, who hath a Minister at this present at *Stockholm*, adjusting that Affair, which the Court is very well assured, he says, will be to our Satisfaction. —— To this our Answer was, that while we were in *England*, we had understood his Majesty had resisted very pressing Instances that had been made to him, to admit the King of *Denmark* into the Mediation; and that he had done it out of his special great Confidence in, and Respects for the King of *Sweden*: That since our coming out of *England*, we had not understood one Word either from his Majesty or from Court, that he had any Thoughts or Desires to introduce *Denmark*, to joyn with *Sweden* in this Mediation: That his Majesty's Envoy at *Copenhagen* had indeed, about three Weeks ago, writ us Word, that M. *Terlon* had shewed him a Letter, signed by the Most Christian King, wherein that King declares his Willingness to accept of the King of *Denmark* into the Mediation; and that thereupon, the Envoy had, upon the earnest Request of M. *Terlon*, endeavoured, as of his own Head, to sound the King, and to discover how he stood now affected to a Thing he had heretofore very much sollicited in the Court of *England*; that we did not perceive M. *Heinshaw* had any Orders to make any such Overture as from his Majesty to the King of *Denmark*; nor did we find by his subsequent Advices, that that Overture was any further pursued, either by M. *Terlon* or himself, but that he sufficiently intimates the contrary, saying, M. *Terlon* had since shewed him a Letter from M. *Pompone*, wherein he seemed to supersede the first Orders to M. *Terlon*, as doubting that to pursue them would be to disoblige *Sweden* very much. This Account being the very Truth, we thought it not fit for us to conceal, in Regard we had observed, that the *French* Ambassadors have both to the Mediators and to us, expresly disown'd any Knowledge either from the Court of *France*, or from M. *Terlon* himself, of any such Orders given him; and that they could not (as they expressed it) imagine there was any Thing in it; so that M. *Heinshaw* having made this Step, we thought this disobliging Motion would be laid at our Master's Door, as coming not only originally, but solely from him; unless M. *Terlon* be affected (as by the Command from his Master, and the Countermand from M. *Pompone*, we conceive he is) to have been the first and only Author, that we can perceive, to M. *Heinshaw*, to make this Overture, which, he says, was at the earnest Request of M. *Terlon*; adding, that he expresly declared to the King, that what he did in the Matter, was singly of his own Head, as his private Opinion, and without any Order from his and our Master: But if this does not satisfy the Mediators, (as we cannot find it does, since the *French* Ambassadors are so positive in disowning their Knowledge both of M. *Terlon's* Orders, and of what he prevailed with M. *Heinshaw* to do by Way of Essay in Pursuance of them) we cannot but promise to ourselves that Justice from them, as to avow, so soon as we shall be able to shew them his Majesty's Answer to the *Spanish* Memorial, (which came but late last Night to our Hands) that his Majesty's Regard to the Mediation of their Master, and to their personal Offices in it, are still as entire as ever; and that howsoever such an Overture came to be made to the King of *Denmark*, yet that it is not to be imagined, that his Majesty hath entertain'd any the least Doubt of the Friendship of their Master,

or

or any Prejudice against his Mediation, since he is pleased, upon this important Occasion, to declare his perfect Acquiescence in it; in that he absolutely declines all other Places and Methods of treating, and Mediations, that the Crown of *Sweden* may have no Cause of Offence or Exception in the Point of Honour.

THE *French* Ambassadors told us four Days ago, that their Master had order'd them to acquaint this Elector, (as they have done, they say, by Prince *William*, for they themselves have not yet seen him) that he had ordered 8000 Crowns a Month, besides the 32000 Crowns he receives Monthly upon a former Establishment, to be paid him henceforth monthly, to the Beginning of the Campaign, for his present Occasions; the King intending then, as they say, to bring an Army hither, to deliver him and his Country from the present Pressures: They added, that the Elector had not in express Terms, either accepted or refused the Offer: His Answer was, with all Respects and Thanks due to his Majesty, that he had now an Envoy (M. *Duffett*) just upon his Departure for the Court of *France*, and would be there within 15 Days, who should lay open before the King his present Condition, and the Suits he hath to his Majesty. But Prince *William* entring upon Communication with us upon this Affair, so represents it, as if the Elector had, in Terms express enough, let the *French* Ambassadors know, that he would not accept of a Supply, so far from bearing any Proportion with his present Distresses; for that in so doing, he should but raise an Expectation in the Most Christian King, that he should persist in doing Things suitable to his Engagements to the present Alliance, which, without a better Supply, he must necessarily fail in, he being not able to draw one Penny out of all his Estates for his own Support, much less for the disburthening his Countries from the Armies, that now lie upon them, and draw above 150000 Crowns Contributions out of them every Month.

NOR must we omit to lay before your Lordship, such further Discourse that Prince was pleased to enlarge into, as the Sense of the Elector, and such as the Elector might hereafter by his Letter move his Majesty in, for the Good (as he conceives) of the common Cause; as, 1. That the whole Alliance may be consulted for the carrying on of the War next Campaign, and that the Parties may act of Concert, and by joint Councils, which was a Proposition we troubled your Lordship with in some of our former Dispatches. 2. That his Majesty would be pleased, for the Good of the common Cause, to use the Authority he hath with the Most Christian King, to dispose him to make good the Engagements he is under to these two Bishops, of assisting them with 8000 Foot and 4000 Horse; which, if it be done effectually, they will joyn to that Body 4000 Foot and 2000 Horse of their own, and therewith make an Impression of Consequence upon *Holland*, by the way of *Over-Yssell*, which cannot but be very sensible to the Enemy on that Side. 3. That if his Majesty find himself in a Condition to land any Troops of his own, that may joyn this Army, the two Bishops will be content, that his Majesty, without stipulating with him for his Numbers, and the Manner of acting, shall have the one half of what this Army shall conquer. For Instance, his Majesty shall have the first Town that is taken, and they the second; and tho' such Towns may not be, says the Prince, for his Majesty's Turn to hold, yet they may be good Advantages in bartering and making up a Peace. Prince *William* is so ingenuous as to acknowledge, these two Allies would have these Overtures made to his Majesty, and that they are willing to come to another, that would be to his Majesty's Liking, in Hopes, and upon Confidence, that his interposing with

with the Most Christian King, will be able to procure them Conditions and Regards, suitable to their Hazards and Services; and that they shall not be subjected to the Dictates of a great Minister in that Court, by whom they have, he says, not the Happiness to be considered as they pretend to deserve.

PRINCE *William* desiring these Things might be laid before his Majesty, we most humbly beg his Majesty's gracious Pardon, if they be not so suitable as we could wish, to his Majesty's Prospect of Affairs in this present Conjuncture; and humbly beg Leave to repeat that Caution which the Prince inculcates still to us, that however these Overtures may happen to be relished, or take Wind, yet that no Mention of his Name may follow upon them; since that may prove his irreparable Ruin.

THIS being the Bearer that we intended to part hence with the last Ordinary, he brings with him Duplicates of all our Dispatches since the last express; together with the Assurance of our being, in all humble Duty, MY LORD, *&c.*

To the Earl of *Arlington.*

Cologn 30 December / 9 Ian. 1673-74.

MY LORD,

THE great Experience both of us have of your Lordship's Patronage and Charity to us, gives us the Boldness, in all our Difficulties, to depend upon your Lordship's Orders, as we do upon your Protection.

WE are now by his Majesty's last Orders, whereby he intimates his Royal Pleasure, that he intends all his Concerns shall be finished in this Place, and before these Mediators, as also by the Concurrence of several other Circumstances, become apprehensive, that we are not like to be called hence in some Months yet to come; on the other Side, we find our Liveries of seven Months standing so worn out, that they are like to appear very threadbare at *Easter*, which happens to be the 25*th* of *March* this Stile: Nor are we without a Jealousy, (M. *le Duc de Chaulnes* being about to return hither in the middle of *February*, and the *French* Ambassadors here having, as they themselves tell us, addressed Bills to him for all Necessaries) that the *French* will appear with an *Eclat* that will shame us very much, unless we have new Liveries at *Easter*. We have therefore, MY LORD, thought it our Duty, to charge the Bearer, *Tho. Gill*, when he comes into *England*, to provide us Liveries for 38 Persons here of our Family, unless your Lordship shall think fit to give Orders to the contrary; and these we resolve, God willing, to pay for as we shall be able: For when we consider, MY LORD, the infinite great Honour his Majesty hath done us, in singling us out among so many Objects of greater Figure, and better Capacities than we can pretend to for this Trust, we find ourselves in all the Confusion imaginable, and conclude it to be an insufferable Derogation from his Majesty's Royal Goodness, if we should presume to cite the Precedents of Plenipotentiaries for other Treaties, for their Equipage, or to demonstrate to your Lordship, that the Armies in these three Months last past having besieg'd us, (for so it is) have heighten'd the Prices of Necessaries in our Diet and Horse-Meat, to the full double of what it was while the Country was open, which we know not how to remedy.

The

The ſingle Thing that we humbly take Leave to lay before your Lordſhip is this; that when we came out of *England*, we took the Boldneſs to aſſure your Lordſhip, that we would not only improve his Majeſty's moſt gracious Allowance, the beſt we could for his Honour and Service. but that we would ſpend 500*l.* a piece of our own, over and above our Allowance. This, My Lord, we took the Boldneſs to undertake. when it was not expected we ſhould ſpend half ſo many Months as we have done in this Service: That this laſt, of ſpending 500*l.* a piece, over and above our Equipage Money, and current Allowance, is done, we are not without the cleareſt Demonſtration that Arithmetick can afford; but how much for his Majeſty's Honour and Service the whole Expence hath been, we have an Account to ſubmit to any Cenſure: We have therefore ordered Mr. *Bedford* to wait on your Lordſhip, together with this Bearer, to learn your Lordſhip's Pleaſure, whether you find any Cauſe, My Lord, why we ſhould not proceed to provide, as we have now deſign'd it, the 38 Liveries that our Family will need e're long; for we think it our indiſpenſable Duty to govern ourſelves in his Majeſty's Service here, according as your Lordſhip ſhall find Cauſe to direct and command us, who are, &c.

To the Earl of *Arlington.*

Cologn $\frac{4}{14}$*th Jan.* 1673-74.

My Lord,

OUR laſt that we preſumed to trouble your Lordſhip withal was of the $\frac{30\ Decem-}{9\ Jan.}$ by our Expreſs *Tho. Gill*, who brought with him the Duplicates of all the Diſpatches we have had the Honour to addreſs to your Lordſhip, ſince Mr. *Smith* return'd hence Expreſs for *England*; we thinking it ſtill our Duty to continue that Method, which your Lordſhip hath thought fit to recommend us, in order to repair in ſome meaſure both the Miſcarriages which may happen in the Conveyance, between this and the Water-Side, and the Accidents of croſs Winds and Weather at Sea in this Winter Seaſon. Mr. *Langſtone*, the Expreſs from your Lordſhip, that we are ſo much in Pain for, having been hindred by croſs Winds for 4 Days together, as he tells us, at *Dover*, arrived here on *Tueſday* laſt about Sunſet; it was not above two Hours after the Departure of our Expreſs for *England*; he brought us the Honour of your Lordſhip's Letter of the 17*th* of *December*, *O. S.* together with an authentick Copy of his Majeſty's Anſwer, upon the *Spaniſh* Ambaſſador's Memorial: The *French* Ambaſſadors happening to be with us at the ſame Time upon a Viſit, we communicated to them the Contents of the Anſwer, as well as we were able of a ſudden to render it out of *Engliſh* to the *French*; but next Morning we waited on them, to leave a Copy with them in Form, and to deſire their Concurrence and Advice in the Addreſs which we were commanded to make upon this Occaſion to the Mediators; they did not take Exception to any Thing in it, but ſeemed to acquieſce very much in the Temperament his Majeſty was come to, both in the Subſtance of his Demands, and in the Manner of making them, as ſuiting beſt with his preſent Occaſions at Home: A few Hours after that we had taken Leave of them, we had Audience (as we had ſent to deſire it) of the Mediators; we acquainted them with the Arrival of an Expreſs to us the Night before, and with the Command we had from his Majeſty, to wait on their Excellencies; then having told

them our Errand at large, we deposited in their Hands a Copy, attested with our own Subscription, of his Majesty's Answer, together with a Translation of it into *French*, and offer'd ourselves to enter into Matter *des à present*. We used that Word, for to adjust and couch in writing Articles of Peace, upon the 6 Propositions contain'd in his Majesty's Answer, that we did then leave with their Excellencies; keeping ourselves in this Address and Offer, as close as we could possibly, to the very Words in his Majesty's Answer, and your Lordship's Letter; we took Leave to observe further to them, that we were concerned to get, if possible, an Answer in writing from the *Dutch* Ambassadors upon this Offer, and that we did hope, it having been the Method of their Excellencies, the Mediators, still to write to the *Dutch* Ambassadors, that a few Lines from them upon this Occasion would draw an Answer from the *Dutch* Ambassadors in writing; however, that if their Excellencies thought, that our writing to them, the Mediators, upon this Subject, and their transmitting of our Letter over to the *Dutch*, would be any Means to gain an Answer in writing to our Offer, we thought it our Duty to propose it to their Excellencies, that we might, if they thought fit, renew this our Address to them, and form it into a Letter, which should bring inclosed in it his Majesty's Answer, and should express at large the Offer we had been commanded to make to the *Dutch* Ambassadors, and the humble Suit we did make to their Excellencies, the Mediators, to give Notice to the *Dutch* of our Offer: They, the Mediators, entred into a little Deliberation upon this Point in their own Language, and came to a Resolution (Count *Tott* taking Pen and Ink into his Hand) to take from our own Mouths, rather than by Letter, that Offer which we desired to make to the *Dutch* Ambassadors, through their Favour and Mediation; the Count couched the Words he gave us Leave to dictate in this manner: — *Messieurs les Ambassadors d'Angleterre font offre d'entrer en matiere par nôtre entremise des à present avec les Ambassadors de M. Messieurs les Estats generaux, pour adjuster & coucher par escrit des Articles sur les six Propositions, contenües dans la Response du Roy leur Maistre à M. l'Ambassador d'*Espagne, *&c.* Then having desired us to read over his Majesty's Answer in their Presence, they dismissed us with great Evidence, that they were satisfied in our Errand: C. *Tott* saying again and again, they would apply themselves with the same Hast and Eagerness next Morning to the *Dutch* Ambassadors, as some Men do eat Flesh when *Lent* is out, eating it as soon as *Easter Eve*'s Midnight is over; he repeated that Comparison more than once, and promised to send very early next Morning our Offer, in a Letter of their own to the *Dutch* Ambassadors, which Letter they have done us the Favour since to communicate to us, and goes herewith inclosed.

We met C. *Tott* and M. *Sparr*, some few Hours after this Audience, at Prince *William*'s, and they both told us, as M. *Ehrensteen* did likewise yesterday, that they could not sufficiently express the Satisfaction and Joy they had had upon a second reading, and fuller Perusal of his Majesty's Answer: It was in all the Parts of it, they said, highly generous and judicious, and so exactly well weigh'd and calculated for the present Juncture, that they could not, they said, conceive, how any mutinous *Englishman*, or captious *Hollander*, should be able to find any Handle to except against it.

Just as we had sent to desire an Hour of Audience from the Mediators, comes a Gentleman from M. *Beverning*, to desire me, Sir *Joseph Williamson*, to appoint him a Moment of Audience in my own particular

Room.

Room. I left him to take any Part of the Evening, after the Hour aſſign'd us by the Mediators: He began his Viſit with thanking me for a Viſit I had given him about a Month ago, to thank him for Paſſports he had very civilly procured to Captain *Churchill*, and ſome other *Engliſh* Officers in the King's Service: He proceeded to diſcourſe upon a little Diſappointment his Curioſity for Inſects and Flowers, in which he profeſſes to delight very much, had met with laſt Summer; for he had a Collection of both of them ſent him out of the Eaſt-*Indies*, which he valued very much, as being gathered by one he employs and maintains abroad, he ſays, for that Purpoſe; but being conſign'd to him in one of the Eaſt-*India* Ships taken at St. *Helena* by Sir *Richard Munday*, he hath underſtood they are ſtill in Sir *Richard's* Hands, at leaſtwiſe not ſold among the Prize Goods, which if ſo, or if either the Flowers or the Inſects may be recover'd by my Care, he will be glad to order to the Perſon that hath them a handſome Gratuity: This he ſpake, he ſaid, upon Suppoſal, that they are not come to his Majeſty's Hands, as ſome Reports have told him; in which Caſe, he pretends not to hearken any more after them, but will be very glad, he ſays, that this Accident ſhall have furniſhed any Thing worthy his Majeſty's Curioſity. From that Diſcourſe, he enter'd into that of publick Buſineſs, with ſaying, *Quoy nous tous jours icy les bras croiſez?* and then, began with complaining how much he ſuffer'd in his own private Affairs, for being abſent ſo long from Home: Then I (Sir *Leoline Jenkins*) being called in he repeated much of what he had ſaid before, and was about half an Hour upon the Subject of our Negotiation; he did not touch upon any of the three Points which the *Spaniſh* Ambaſſador demands for the *Dutch* in his Memorial; and he glided over that of *Surinam*, with ſaying, it was not of that Moment as to give Cauſe to continue the War upon it: He wiſh'd the *Engliſh* there already gone, whither his Majeſty deſires to have them tranſported, and ſaid, that Matter would be eaſily adjuſted in agreeing a ſet Time, within which they might be at Liberty to depart. Upon the Article of the Fiſhery, he dwelt much longer, and enlarg'd upon the Authority of *Intercurſus magnus*, between King *Hen.* VII. and the Houſe of *Burgundy*, in the Year 1495. but being brought to acknowledge, the Force of it as a Treaty was quite extinguiſhed by the firſt War that happen'd after it, between the Crown of *England* and that Houſe; and that they, the *Dutch*, have no Pretence to any Benefit or Privilege in Virtue of it; unleſs they can ſhew it to have been receiv'd, or at leaſtwiſe the ſpecial Article about Fiſhing in it, between us and them; he did much inſiſt, that that Article did clearly evidence the Right and Poſſeſſion of Fiſhing, without asking leave, to have been equally pretended to by both Nations, in King *Henry* VIIth's Time, as it hath been ever ſince. This we told him we could not agree to by any Means, our Records at Home furniſhing us with pregnant Evidences to the contrary, whereby it did appear, that *Hen.* VII. was, and ſo were his Predeceſſors before that Treaty, in Poſſeſſion of giving Licences to the Subjects of the Low-Countries, and of forbidding and hindring them to fiſh, that preſumed to do it, (tho' under the ſafe Conduct of another Prince) without firſt ſuing out Licences, and ranging themſelves under the Convoys and Guards appointed by the Crown of *England*. We added, that the Matter of Fact being notoriouſly ſo before the *Intercurſus magnus*, the Crown of *England* having re-enter'd upon its Right and Poſſeſſion of granting Licences to fiſh after that, that Treaty became upon ſucceeding Wars of no Force and Effect; the true Reaſon why *England* was brought to ſtipulate in the *Intercurſus*

magnus, that the Fishing should be free and without asking Licence, was, that the House of *Burgundy* gave it very valuable Considerations for that Relaxation, in admitting us to Privileges and Immunities of very great Advantages in those Times within the Low-Countries: And that we had since the *Intercursus magnus* resum'd our Possession of giving Leave to the Low-Countrey-Men, appear'd very evident by the Practice all Queen *Elizabeth*'s Time, in that the *Netherlanders* did not presume to begin their Fishing, without first asking and obtaining Leave from the Governour of *Scarborough* Castle; and in that, King *James* by his Proclamation in the *9th* of his Reign, prohibited all Strangers to fish upon his Coast: To which, M. *Beverning* had nothing to oppose, but that the States had obtain'd from him an Act of *Surseans* (so 'tis term'd) upon that Prohibition; their suing out of which, without disputing the King's Right, was, we said, a sufficient Acknowledgment, that the Liberty they had was of the Grace and at the good Pleasure of the King; especially, when it shall be considered, that whenever the King called upon the Ministers of the States, to come to an Adjustment of that Point with him, they never pretended to an equal Freedom with us upon the Seas in Point of Fishing; but still had the good Luck to put off the Affair, either by pretending Want of Commission, and Instructions for it, or by desiring a longer Day, in Regard sometimes of their great Danger from Divisions at Home, as in *Barnevilt*'s Schism; sometime in Regard of the good Use we might make of them, if we managed their People aright in our Affairs abroad; as in that of the Wars of the *Palatinate*, as also with *France* and *Spain*, in his late Majesty's Reign of Most Blessed Memory. So that M. *Beverning*, upon the whole, could not deny, but we had kept a Kind of Claim on Foot all the three last Reigns; nor could he affirm, for we did put him to it, that the States had ever used Arguments in any of their Intercourses with us upon this Affair, during those three Reigns; no, not in the Time that the Earl of *Northumberland* levied those Droicts upon them, either to contest or dispute, much less to avoid and destroy the Right and the Possession alledged on our Part, be in the Crown, in this Affair: His Refuge was to say, that as our to former Kings had had the Goodness to suffer themselves to be taken off, so as not to insist finally upon it, nor that it hath been brought by them into any Treaty to this Day, he did, he said, hope and rely very much upon his Majesty's *Bonté*, that he will pass over this Article, without insisting to have it brought into the Treaty: For, he said, and that with some Emphasis, that he did not see any Expedient or Temper to be used in this Affair: His only Reason was, that the Consequences to his seeming were very vast; and then fell into a Discourse of the Rose-Noble, anciently consented to be paid by all Vessels indifferently, of what Burthen or Cargo soever, in their passing the *Zonnet*, and how that is increased into a great Burthen and a troublesome Exaction at this Day; and would grow, he assured himself, much greater upon them, but that they have a Force able to bring those Exorbitancies, when they grow intolerable, to Reason. We told him, that the Possibility of introducing an Abuse, was never held to be a Reason sufficient to debar private Men, much less Princes, of their Droicts, if they were otherwise well founded in the Right; and that his Majesty, upon the Settlement of this Affair, would (we doubted not) be willing to obviate all Abuses that may be feared in future Ages, by such an Adjustment, as they should have all Cause to assure themselves, that his Majesty intends no more for himself and Successors, than what his Royal Predecessors were in Possession of so long, and without Contest, in former Ages.

If

If we may take leave to lay our private Apprehensions before your Lordship, we cannot say that we have any Hopes of obtaining an Article in this Point, as Things now stand, unless the Parliament should happen to stand vigorously by his Majesty, in these Demands he is pleased to make, for the Honour and Good of the Kingdom; and if we may be so bold as to offer an Impertinency of our own, what if a Bill should be tender'd them, either of the Tenour of King *James* his Proclamation, or else resembling that of 2 *Rich.* II. that lays 6*d* a Ton Imposition upon our own Fishing Vessels, wherein, if Strangers be not intended, (as we humbly conceive they are) they may be more expresly taken in? Nor should we presume thus far, but that neither the Mediators nor our Allies, when we argue to them the Reasonableness of this Article, give us any Encouragement to insist upon it, much less any Hopes to obtain it. Besides M. *de Groot*, who speaks the Sense, and bears the Figure of the *Lovestein* Party, if we mistake him not, as much as a Man can do, hath often told us, his Countreymen had rather burst, than submit to any thing of an Acknowledgement in this Matter; and 'tis his Sense, they the *Hollanders* should rather forbid their Subjects to fish at all, than to ask leave to do it of the Crown of *England*.

Monsieur *Beverning*, in his Discourse about the Reglement of Commerce in the *Indies*, did not seem so rigid and averse from all Expedients: He said, he was no Merchant, and did not therefore understand more of that Affair, than what had come occasionally to his Knowledge, among other the publick Affairs of his Country; Nor did his Memory, as he said, serve him to recollect those Things, that might be said upon the three or four Points we had some Months since given in to the Mediators; he said, he foresaw it must draw the Negotiation into an intolerable length; and that it would be very difficult to determine what Countries or Places should be said to be so, under the Jurisdiction and Power of the one Company, so that the other shall have no Pretence to trade or come into them; as also what Places should be said to be so free, while the one or the other Company is Master of the Avenues to them, the other Company may, notwithstanding any Forts upon Passes, have free Ingress to, and Liberty in such Places: He gave a shrewd Instance in the Case of the Isle of *Ceylon*, saying, their Company was hitherto in the sole Possession of the Trade in it, and that it was one of the most considerable Things they were Masters of; yet that they had no more but the Mouths of a few Rivers, whereby they keep themselves in that Possession: He said therefore it would be not only hard to them, but absolutely destroy that Trade, if the *English* should be either suffer'd to pass by their block Houses, upon the Rivers and Avenues they the *Dutch* are possessed of; or else, to be at Liberty to enter upon that Island, in any other landing Place, in the back Part of it, not defended or possessed by the *Dutch*, and so by either of these Ways enter into the Heart of their Island, and have as great a Share as they please in the Trade, that the *Dutch* now drive with the little Kings and People of the midland Part of the Isle, upon Pretence that those People are free, and not in Subjection at all (as the Case may be) to the *Dutch*: He added, that the only Way he saw open for the adjusting of any Thing in this Point, was by coming to a Specification of particular Places, designing in the Article what Places by Name it shall be free for each Company to frequent and trade with, and what not. To this, our Answer was, that Complaints did arise from Matters of Fact already done, and those have put us in Fear of En-

Encroachments and Violences of the like Kind still to be acted upon us, as Opportunity shall invite; that therefore, when we shall come towards an Article in this Point, we will offer them a Remedy suitable to the Facts already past, and that shall extend, as we hope, to future Possibilities, and shall desire nothing, but what shall be reciprocal in the maintaining of our present Possessions and Trade; and what shall be as much to the Prejudice of our own People, upon the Square of any future Acquisitions or Pretensions, as to theirs. This Conversation ended with all Fairness, and was managed without the least Heat: We suppose he took this Occasion to speak with us, because he foresaw, by his Majesty's Answer, (which he acknowledg'd to come to his Hand by the Way of *Holland*) we were to offer ourselves to enter into Matter with him, and it may be design'd to frame his Answer to the Mediators, when they should come upon the Message in some Circumstances; as he should happen to see Cause from our Discourse.

The Mention he made of the *Lorain* Passports, was no more, but that the King our Master was not concerned in that Difference; however, that they the *Dutch* must stick to the Duke of *Lorain*; but for no other Reason, than their Alliance's Sake; and that his Case was so much the harder in that, tho' an Expedient were found or comply'd with as to the Formality of Passports, yet the Most Christian King not declaring himself, upon what Terms he will make the Restitution he promises, the Duke will be left, at the End of the Treaty, in all the Uncertainties imaginable: For, said he, his Country may be offer'd him, but he may be told, he must not have his Towns; or if he have them, that he must not fortify them; or else, that the King will reserve to himself Passage with any Armies through all Parts of his Country, or set up Tolls where he pleases, or bar the Duke from passing such and such Ways, *&c.* And if the Arbitrators should happen to give any of these Things, or any other Things in Question, against the King, what Princes are there that would take upon them the executing of the arbitral Sentence, and put the Duke into Possession, against the Most Christian King's Will? In this he said he had no Reason to enter into Argument with us, since it did not concern our Master, nor the other Allies of our Side.

The Mediators were pleas'd last Night to give us an Account of the Reception of their Letter, and afterwards themselves met, with from the *Dutch* Ambassadors, telling us pleasantly M. *Beverning* had thank'd them for their Letter, which the *Dutch* Ambassadors had not hitherto done for any other they had writ to them before this: He excus'd himself, that tho' he had received the Mediators Letter in the Morning, yet he had not yet communicated upon it with M. *Isbrants*, who was then ill: That he propos'd to himself, to be able to send them an Answer in Writing some time next Morning; (meaning this Day) that he hoped they should find their Powers and Instructions, when M. *Isbrants* and he had Leisure to consider them, to be such, as would enable them to enter into Matter upon the Propositions in his Majesty's Answer, tho' this Step was of that Importance, he said, as to deserve they should first consult their Masters upon it: That his Majesty having no open War with any of their Allies, they hoped those Allies would not be against this Advance, they were willing to make: The Mediators told us, Monsieur *Beverning* did not mention the *Lorain* Passports upon this Occasion, but spake with Respect and Acknowledgment of his Majesty's Moderation: The Mediators have promised us a Copy of the *Dutch* Ambassadors Answer, as soon as it comes to their

their Hands, and (as we are Writing) we ſend a Gentleman to watch and to bring it us, if it come before the Ordinary of this Day do depart.

THE *French* Ambaſſadors have Letters, that the Prince of *Condé* and Monſieur *Turenne*, are to be this Night (the 12*th*) at *Avenue* in *Hainault*, in their Way to *Charleroy*; that M. *de Chaulnes* ſets out from *Paris*, the 20*th* of this Month at fartheſt, for this Place: There is nothing that we hear paſſed at *Liege* to the Prejudice of their Neutrality; and tho' the Governour complains much of the *French*, yet it does not appear, that M. *de Lyſola*, who is there ſtill, hath been able to work them off from their Reſpect to their Prince this Elector. We are, *&c.*

Poſtſcript.

OUR Meſſenger having ſtaid at the Mediators to the very laſt Moment we had to depend upon the not departing of the Poſt, brings us Word from their Excellencies, that no Anſwer was yet come from the *Dutch* Ambaſſadors, and that they did not expect any this Day.

To the Lord Ambaſſador *Lockhart*.

Cologn $\frac{6}{16}$*th Jan.* 1673-74.

MY LORD,

IT is with all Sincerity and Concern poſſible, that we wiſh your Excellency all the Satisfaction and Succeſs your own Heart can deſire, or the Publick can need, in that Poſt to which his Majeſty, in his great Wiſdom, and (we may ſay) Juſtice to your Merit, is pleaſed to ſingle you out, in a Conjuncture of the higheſt Difficulties both at Home and Abroad; and we humbly take Leave to beſpeak your Excellency's Pardon, if the Affinity of our Buſineſs with that of your Excellency's at that Court, makes us to break in upon you with conſtant Series of Troubles, oftner than we would otherwiſe think it conſiſtent with the Reſpects we owe you to do.

ON *Tueſday* laſt we had the Honour to receive Communication of his Majeſty's Anſwer upon M. *de Freſno*'s Memorial, by an Expreſs: On *Wedneſday* we acquainted the Mediators with it, and made an Offer of ourſelves to enter into Matter with the *Dutch* Ambaſſadors forthwith upon it, and by their *entremiſe* to adjuſt and couch in Writing ſuch Articles, as ſhould naturally ariſe out of the 6 Propoſitions contain'd in that Anſwer: On *Thurſday*, the Mediators were pleaſed to make an Overture of this our Offer, by a ſhort Letter they writ to the *Dutch* Ambaſſadors: On *Friday* the *Dutch* anſwer'd them, by a Letter that conſiſted of two captious Clauſes; in the firſt they take it for granted, that his Majeſty hath ſeparated himſelf and his Intereſts from the reſt of the Alliance: In the ſecond, they would have it believed, that the Reglement of Commerce in the *Indies* was, by the Mediators in *July* laſt, repreſented to them, as a Thing agreed to be put off by a remiſſary Article, to another Treaty, in due Time and Place, to be had hereafter by Commiſſioners; the Mediators not willing to engage in anſwering to either of theſe Points, intending to tell them this Day in writing, that they found us, the *Engliſh* Ambaſſadors, in a very good Diſpoſition to cloſe with them, the *Dutch*, by entring into Matter, and that we had accepted of the Article of Commerce to begin withal, and had given them,

them, the Mediators, a Project (which the Mediators inclose in their Letter) of the Reglement we pretend to at present; making us to say, our Project is no more but what we had given in to the Mediators, and they to the *Dutch*, 4 Months ago. The Mediators might have put it more Home upon them, if they had so thought fit: For they might have observed to them, as they have confessed it to be the Truth to us; *First*, That we never saw that Letter of the $\frac{2}{12}$*th* of *July*, which the *Dutch* refer to, and consequently ought not to be concluded by it. *Secondly*, That that very Day ($\frac{2}{12}$*th* of *July*) when the Mediators told us, they intended to communicate our principal Points to the *Dutch* Ambassadors, and asked, whether we had any more than those they then enumerated? We expresly told them, we had more, but they were Points in all Things reciprocal to the *Dutch*, for so these are; but those in that Letter (of $\frac{2}{12}$*th* of *July*) were not; and that we reserved ourselves to insist upon them, wherein they, the Mediators, bid us not doubt, but that every Thing reciprocal would be obtain'd without Difficulty. *Thirdly*, That they, the *Dutch*, 5 or 6 Weeks after they had received these Letters, (of $\frac{2}{12}$*th* of *July*) call'd for an *Ultimatum*, so they termed the *dernier mot*, from us; and that we gave our *Ultimatum* to the Mediators first by Word of Mouth in *August*, then on the 5*th* of *September*, *N. S.* in writing; the 6*th* Article of which *Ultimatum*, was in *hæc verba*: — 6. *Reglements de Commerce dans de Indes Orientales, & sur les Costes de Guinee.* — And that the *Dutch* Ambassadors being not satisfied with these general Terms, insisted with the Mediators, that we should set down the Particulars of the Reglement, we pretended to establish by this Treaty, which we gave then, *viz.* $\frac{1}{11}$*th Sept.* in *French*, and now give in *Latin*, without any the least Variation. 4. That about a Month after the delivering in of our *Ultimatum*, and our Explication of it, they, the *Dutch* Ambassadors, did, by their Letter of the 9*th* of *October*, absolutely, and in express Words, reject all the King's Demands in that *Ultimatum*. So that his Majesty is at this Time at an entire Liberty to propose any new Thing, or to vary from any Thing he might (before that Rejection) have seemed to have been concluded in: Such Variations being free to all Treaters, till the very Moment of Signing. 5. That it ill became the *Dutch* Ambassadors to rail as they do against *France*, for proposing to put the Restitution of *Lorain* to an Arbitrage, while themselves do endeavour to elude so weighty a Concern, which our Master hath for the Good of his Subjects, by posting it off wholly to a Commission, that (when this Treaty is over) will be altogether precarious, and such a one as they may render as ineffectual as they themselves shall please.

This the Mediators allow'd to be very true, but they will not embarrass themselves with the *Dutch*, in speaking it out; and whether the *Dutch* will have therefore Head to accroach this Affair upon it, or else by some Artifice, endeavour to put us upon answering that captious Question which they have, we perceive, in Deck, *viz.* whether we will sign separately, without staying for our Allies, if all we ask be granted us, a few Days will shew. In the Interim, we are very much mistaken, if the *French* Ambassadors and the Mediators have not a Jealousy that the *Dutch* will grant all we ask, that we shall be thereby put to speak out upon the Question of signing; and if so, that the Parliament will prevail with the King, to accept of these separate Terms; touching which Matter, we have not yet the least Light or Instruction. We take Leave, My Lord, to send your Excellency all the Papers above related to, and to assure you, My Lord, that we are, &c.

To

To the Earl of *Arlington.*

Cologn $\frac{6}{16}$ *th Jan.* 1673-74.

My Lord,

By our last, which was of the $\frac{2}{12}$ *th* Instant by the Ordinary, a Copy of which we take Leave here to inclose, we gave your Lordship an Account of the Offer we had made the *Dutch* Ambassadors by the Mediators, in Execution of your Lordship's Commands to us in your Letter of the 17*th* past, and in Pursuance of what his Majesty had declared in that Particular, in his late Answer to the *Spanish* Ambassadors Memorial of the $\frac{10}{20}$ *th*, to wit, that we were ready forthwith to enter into Matter with the said Ambassadors, for the wording and adjusting Articles upon the six Propositions contain'd in his Majesty's Answer: We transmitted your Lordship, by that Conveyance, a Copy of the Letter the Mediators had written to the said Ambassadors upon that Occasion; but were not able, as we took Leave to tell your Lordship, in an Apostille to that Dispatch, to accompany it, as we hoped we might have done, with an Account of the Answer the *Dutch* Ambassadors had return'd to it, it having, it seems, not come to the Mediators Hands till late in the Evening, after the Post was parted.

The next Morning, the Mediators made us a solemn Visit, the Occasion of which, they told us, was to communicate to us the Answer they had received the Evening before from the *Dutch* Ambassadors, to the Offer we had made by the Hands of them the Mediators the $\frac{10 \text{ Jan.}}{31 \text{ Decem.}}$ for immediately entring upon the Wording and adjusting Articles upon the six Propositions contain'd in his Majesty's Answer to the *Spanish* Ambassador; the Count *Tott* drew out the Answer, and having read it to us, told us, the *Dutch* Ambassadors had demanded to have an Answer return'd them in Writing; and that they insisted particularly to have a clear and plain Answer, to what they had by the By let glide into the Preface of their Paper, as an Inference they themselves made upon his Majesty's Offer of entring thus into Matter with them upon those Propositions, *viz.* that his Majesty did no longer *accroch* his own Accommodation upon other Interests, *&c.* Which, the Count *Tott* told us, they found the *Dutch* Ambassadors would insist to have a full and clear Declaration from us in; as also, such an Answer in Writing from them, the Mediators, as might expresly declare, that the whole entire Answer, or Paper of them, the *Dutch* Ambassadors, had been communicated to us; that is, that a Copy of it had been left us, or at least, that it had been distinctly read to us. These two Points, they told us, they found the *Dutch* Ambassadors would absolutely insist upon, and therefore they desired us to consider of it, and to resolve what Kind of Answer we should think fit should be given the *Dutch* in each of them. We told them, that as to the Preamble of that Paper of the *Dutch* Ambassadors, we did not apprehend we were at all oblig'd to take notice of it, further than we should see Cause, and as might be found of Advantage to our Master's Service in the Thing in Question; nor indeed, did we think it would be proper for us, to fasten upon any Thing the *Dutch* might have inserted in this Paper, besides the Point now in Question, whether it were by them done out of Impertinence, or Artifice, the Matter, we said, was plainly and singly this, we had, by the Command of the King our Master, made an Offer to the *Dutch* Am-

baſſadors by them the Mediators, forthwith to enter into Matter with them, for the wording and adjuſting Articles upon the ſix Propoſitions contained in his Majeſty's Anſwer to the *Spaniſh* Ambaſſador's Memorial; to this, they the *Dutch* Ambaſſadors had written an Anſwer in that Paper. Whatever Part of that Paper was in Anſwer to our Offer, we ſaid, we ſhould think ourſelves obliged to take notice of, and ſhould conſider what Kind of Reply it required, or what was further on our Part to be done upon it; whatever was ſaid by the By of any Kind, and out of the Way to the Buſineſs in Queſtion, we ſaid, we thought it was in our Choice to paſs it by, without taking any notice of it one Way or other, eſpecially where we find it captious, and thrown in with Deſign, as we thought thoſe Expreſſions were, on Purpoſe to embarraſs and entangle us: So as we concluded, we ſhould not think neceſſary or fit to take any notice at all of the whole *Preface* of that Paper, but to apply ourſelves ſingly to that Part of it, which contain'd the Anſwer to our Offer; and as to that, we told the Mediators, that ſeeing the *Dutch* had made Choice of the Point of Commerce in the *Indies*, that they deſired to go firſt upon of the three, the King our Maſter had demanded to be added, we willingly agreed to it: But then, we told them, the *Dutch* Ambaſſadors had much miſtaken the Matter, when they pretended in that Paper to give ſuch an Explication to any Thing, they the Mediators have written or ſaid at any Time, as on our Part, upon this Point, as if the King our Maſter had at any Time heretofore offer'd or agreed, that all this whole Matter of Commerce in the *Indies*, ſhould be ſo referr'd to Commiſſioners, as not to expect that thoſe two or three Points ſhould be provided for, even in the preſent Treaty: We told the Mediators, we muſt deſire leave to remember them, that we could, if there were Cauſe for it, make it appear, out of our Notes of that Time, that as we had from the very firſt Overture of our Demands, and ſo all along through the whole Courſe of the Negotiation, whereever this Point came in Queſtion, declared, that as to the forming and adjuſting an entire and compleat Body of Articles for a general Reglement of Trade, the King our Maſter was already of himſelf reſolved not to embarraſs this Treaty with it, as being a Work of great Length and Intricacy, but to offer, that it might be referr'd to Commiſſioners, *&c.* So we had ever at the ſame Time declared to them, the Mediators, that we had three or four Points relating to the Liberty and Security of our Trade in the Eaſt-*Indies*, and on the Coaſt of *Guinea*, which being moſt juſt and reaſonable in themſelves, and in Terms perfectly reciprocal, which were neceſſarily to be provided for in an Article of 10 or 12 Lines in this Treaty; that whenever we had declared this Reſerve, as we minded them we had conſtantly done, whenever this Matter came to be ſpoke of, they the Mediators had perpetually agreed to the Reaſonableneſs of it; aſſuring, that as to theſe, or whatever other Points were reciprocal, there would be no Manner of Difficulty made of admitting them into this Treaty; and thus we put them in Mind, the Thing had paſſed between us and them, the Mediators, at the very Time when they read to us the *Brouillon* of their Letter to the *Dutch* Ambaſſadors of the [illegible]*th July*, which is here quoted by the ſaid Ambaſſador; and Count *Tott* having been ſhown an Entry of the Fact, as they paſſed in one of our Journals, he very frankly and generouſly own'd, he well remembred we had indeed made this Reſerve of the general Reference we agreed to, and that they, the Mediators, had ſtill undertaken to us thoſe Points, and whatever elſe reciprocal we

have,

have, would find no Difficulty on the Part of the *Dutch*, to be received into this Treaty.

THIS we said, was the Truth of the Fact in this Point, as to our first Overtures and Declarations of our Master's Mind in it; in which, we must remit ourselves to the Memory of them the Mediators, and our own Notes of that Time. But to shew the *Dutch* Ambassadors, this had been all along our Demand, and that it was well known to be so, and could be no other, we desired the Mediators to remember, and we appeal'd to them upon it, that two of the *Dutch* Ambassadors being return'd from the *Hague*, about the 14*th* of *August*, with that Invective Answer to our Demands, dated the 15*th* of that Month; they, the Mediators, were within four Days after, upon the obstinate Declaration the *Dutch* Ambassadors had made, of not treating further with us, till the two Kings come yet lower, to receive from us an *Ultimatum* (as they call'd it) of our Demands; the 20*th* of *August*, we gave them our *Ultimatum* accordingly in Form, by Word of Mouth, and the 5*th* of *September*, they sent their Secretary to take it in Writing, we dictating it to him; the 6*th* Article of that *Ultimatum*, we told them, was couched in the Words: —— *Reglement de Commerce dans les Indes Orientales, & sur les Costes de Guinée* —— that they the Mediators having look'd upon this Article, as also that of the Flag, as couched in too general Terms, were pleased some Days after, at the Instance of the *Dutch*, to demand of us a more particular Explication, how and in what Words we would pretend to have those two Articles couched. Upon which we, the $\frac{7}{17}$*th* of *September*, gave them in the one and the other in Writing: that of the Flag in Form, as we wished it might stand in the Treaty; and this of Commerce, in three or four short Heads; which contain'd the Substance of what we pretended in that Matter, which they, the Mediators, as they now acknowledged to us, had transmitted to the *Dutch* Ambassadors; so, as we concluded, it was not at all fair or ingenuous in the *Dutch*, to pretend they satisfie his Majesty's Demands in this Point, by remitting all to Commissioners, when they were told so many Months ago, that there were three or four Particulars relating to that Business, which his Majesty would expect should be provided for in this Treaty; and that upon their Demand, the very Particulars were at that Time given them in Writing, through the Hands of the Mediators; this we said, was what we desired might be said by Way of Answer to that Part of their Paper, in Justification of the Truth in this Business, and to prevent, that the *Dutch* might not be able to impose upon the World in this Thing, by making as if we started any Thing new in this Point, and differing from what we had at first insisted upon; tho' we said, we did not apprehend, but that his Majesty was otherwise in an entire Liberty, after the peremptory and abrupt Refusal the *Dutch* had given long ago to his Majesty's *Ultimatum*, by their Letter of the 9*th* of *October*, to vary his Demands, and to make what Change he saw fit in any of the Particulars of them: only the Truth of the Thing being, as we had now repeated it; and finding the *Dutch* had a Design in this Paper to represent it otherwise to the World, and to make it pass as if all the King had at first asked in this Article of Commerce, had been to have the whole without any Exception, or reserve, remitted to Commissioners, and so what we were going now to demand in these three or four Particulars, was a new Demand, and started with a Design on our Part, to difficult and obstruct the Accommodation the King pretended to be willing to come to with them, the *Hollanders*; for this Reason, we said,

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we ſhould deſire, they, the Mediators, would pleaſe, in the Anſwer they ſhould think fit to make to this Paper of the *Dutch* Ambaſſadors, to do us Right in that Point, and not to leave ſo confident an Allegation, which their Excellencies ſaw was quite otherwiſe in the Truth of the Fact, without a Contradiction.

We found the Mediators not at all willing at the firſt, to inſert any Thing in the Anſwer they were to make, being afraid, as they pretended, it might be an Occaſion of imbroiling them with the *Dutch* Ambaſſadors, and the *French* Ambaſſadors ſeemed to be of the ſame Mind in the Thing, when we were firſt to ſpeak with them upon it: But at laſt, having both of them acknowledged the Truth of what we alledged to be Matter of Fact, and being made ſenſible of the Conſequences it might be of to the King's Service, not to leave ſo confident and untrue a Suggeſtion without a Refutation; the Mediators did agree to give ſuch a Teſtimony to the Truth of this Circumſtance, as might be ſufficient to our Purpoſe; and accordingly, having received yeſterday our Project of that Article of Commerce, as we propoſe it may be framed, as the next Step fit for us to make in this Negotiation, and ſuitable to the Heads we had given in verbally to the Mediators in *Auguſt*, and in Writing $\frac{4}{14}$*th* of *September*, which we gave in, as what could be properly expected from us, by Way of Anſwer to the Papers of the *Dutch* Ambaſſadors; they the Mediators immediately, in the Preſence of the *French* Ambaſſadors and us, framed a Letter, with which, they intend this Morning to accompany our Project to the *Dutch*; Copies of both which Papers, your Lordſhip will pleaſe to receive here incloſed. And thus far the Matter is advanced on our Part; in which, we have endeavour'd the beſt we can to avoid the Snares the *Dutch* ſeem to have laid in the Thing. So we judge it neceſſary above all Things upon our Parts, to be ready upon every the leaſt Step or Motion that is made of any Kind by the *Dutch* in this Matter, to anſwer it forthwith on our Part, in ſuch Manner as the Thing requires, that they the *Dutch* may have no Pretence towards the World, or our People at Home, (which we think they watch above all Things) to ſay his Majeſty is not really, and indeed as forward, to proceed in this Matter with them, as he declares he is.

We cannot but obſerve to your Lordſhip, that we found evidently, that as well the Mediators as the *French* Ambaſſadors, notwithſtanding that they acknowledged M. *Colbert* had written to them from *London* upon that Subject, were at firſt extreamly alarm'd at this Offer we were order'd to make, eſpecially when they found *Beverning* and his Collegue to cloſe with it, in Appearance ſo very frankly; and certain it is they were not without ſome Jealouſy, this Buſineſs might go on too faſt, and for any Thing they knew (as ſome of them ſeemed to intimate to us) even come to ſigning before the other Allies were aware of it. This Jealouſy, we find really they had at firſt, which we thought we ought above all Things to cure, as well in Duty to the Honour and Sincerity of his Majeſty's Intentions in that Matter, as that we foreſaw both the *French* Ambaſſadors and the Mediators would be ſure, ſo long as they were under any ſuch Apprehenſion, to give us all the Difficulty and Embarraſs imaginable, in the Negotiation we were now entring upon with the *Dutch* Ambaſſadors; and accordingly, we hope, we have convinced them, that beſides all other Conſiderations that ought to ſet them at Reſt from any Fears, that his Majeſty will ever be brought to do otherwiſe than what he has all along profeſſed, and given ſuch great

great and generous Proofs of, towards his Allies: We have convinced them, we think, that there is but little Appearance *Holland* ever means to comply with his Majesty in these six Propositions, in the Terms and Manner we now propose them; so as there's no Fear, as we tell them, of being taken at our Word, or that the Thing should immediately press upon us to a signing; that all they do in this, is but to fence with his Majesty's Answer to the *Spanish* Memorial, which they see, by the prudent and wise Turn it gives the Matter of that captious Memorial, puts the Thing a little hard upon them, the *Dutch*, till they can shew the World, they are as ready and forward towards an Accommodation as his Majesty is.

In Case this new Negotiation proceed, and that this first Article about the Security and Freedom of Trade in the *Indies* comes to be adjusted between us; the next Article of the three, his Majesty hath been pleased to add, which we shall chuse to go upon, shall be that of the Fishery, as well because we apprehend that will be much the most difficult to obtain in the End, and therefore best to be assured of first; as that by this Means, his Majesty will have Time to consider in the Point of the Flag, whether, seeing the Offer the *Dutch* pretend to make in that Point by the M. *del Fresno*'s Memorial, is to yield the Article of the Flag to his Majesty's liking and Contentment; whether seeing they have made, or pretend to make the Offer in these Terms, his Majesty will please, as Things now are, that we should proceed with the first upon the first Draught of an Article brought with us upon that Matter, and try to obtain that if we can; or whether his Majesty will, that we rather go immediately upon that second Draught he was pleased to send us, and which, in the mean Time, till we receive his Majesty's Pleasure otherwise, we look upon as our Duty for the Directions we have heretofore receiv'd in that Matter from your Lordship to proceed upon, in Case the Matter come to call for it, before we can receive, by your Lordship's Favour, his Majesty's Pleasure in the Thing.

Jan. $\frac{2}{7}$*th* in the Morning.

We have presumed to keep this Express over Night, in Expectation of what Reception the Mediators Letter to the *Dutch* Ambassadors would find: All that can be yet known is, that the Mediators, delivering them that Letter, (for it seems the Mediators saw them themselves upon this Occasion) the *Dutch* Ambassadors finding we insisted upon our former Heads, given in the latter End of *August*, in that Particular of the Commerce in the *Indies*, said for their Parts those were Matters they understood not, nor had they any Instructions in the Particulars we insisted to go upon in that Article, but must think of sending Home for the States Mind upon them. But this was but said in Conversation, the *Dutch* having reserved themselves to make a final Answer to the Mediators, this Day or to Morrow; what that will be, and how far they will still Chicane upon their first Pretence, as if this whole Matter of Trade in the *Indies*, without any Reserve, had been in the Sence they understood the Mediators heretofore offer'd on the Part of his Majesty, to be referr'd to Commissioners, we know not; but the Mediators think, as to the Matter it self, the Answer will be, that they must represent it to their Masters, and receive their Orders in it, being at present without any Instructions at all in that Point; if that should be their Answer, we think it may be very well ordered as to the World,

World, that they have not been so forward on their Part in this Negotiation as they would pretend, seeing they have to this Day left their Ambassadors here, without any Instructions in a Point that was given in to them, as one of his Majesty's principal Demands, five Months ago, through the Hands of the Mediators: Besides that, it does not look very sincere and ingenuous, that having pretended to enter into Matter with us, and having particularly singled out this Point of the Commerce to begin with, they should yet, now we came to press them seriously in it, plead they had no Instructions upon it; we think that these are Remarks, that are not impertinent to make upon their Procedure in this Particular, in Case that come to be their Answer, as the Mediators tell us, it is like to be. We remain, MY LORD, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{9}{19}$*th Jan.* 1673-74.

MY LORD,

IN our last of the $\frac{6}{16}$*th* Current by the Ordinary, we did not presume to enlarge your Lordship's Trouble any further than to say, we were then dispatching this Bearer, M. *Carlton*, Express for *England*, being then in Hopes, as we were, we might have furnish'd him to set out with last *Tuesday*'s Post; the Reason that we detained him was, we were in Expectation every Moment of an Answer from the *Dutch* Ambassadors to that Letter, wherewith the Mediators had been pleas'd, on *Tuesday* Morning, to accompany our Project of an Article, for the present Settlement of three Points in the East-*India* Trade; but notwithstanding our longing and our watching for that Answer, we came not to have any Sight or Account of it till late last Night; and then the Mediators were pleased to allow us the reading of it twice over, but not to take any Copy of it: Yet since we are in some Hopes to be possessed of a Copy of it, before the closing of this Dispatch, we will not undertake, upon the Strength of our Memories, to give your Lordship the Detail of it, (for 'tis very long) but rather of the Reflexions which the Mediators had upon it, in the Audience they were pleased to give us last Night.

THE Business of our Visit to the Mediators last Night, was indeed to hearken after this Answer, but in any Case most humbly to thank them for the Letter, wherewith they had conveyed our Project to the *Dutch* Ambassadors; and especially, for the Testimonial that Letter carried along with it, that our Project was not a Thing that had been once agreed to be referr'd to Commissioners, but was an Article that had, in the same Manner with the rest of our Demands, lain in the Hands of the *Dutch* above four Months ago, and was conformable to that Explication, which they the Mediators had, upon the Instance of the *Dutch* Ambassadors, drawn from us the $\frac{1}{11}$ *Sept.* to the sixth Point of our *Ultimatum*, which [*Ultimatum*] their Secretary had taken from us in Writing six Days before. We intended further to make it our Suit to their Excellencies (if we had seen any Opportunity or Need of it) that they would please not to put us upon treating or debating any other Article with the *Dutch*, till this of Commerce were adjusted; for C. *Tott* (having observed the *Dutch* Ambassadors to say they were not instructed, if our Project upon the Point of Commerce be to be entered upon and debated, but must send to their Masters, not only for

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Inſtructions, but for ſome knowing Men in the Trade and Affairs of their Eaſt-*India* Company) had let fall ſome Words, as if it had been fair and reaſonable to deſire us, to enter in the Interim upon ſome other of the ſix Propoſitions, that we might be doing ſomething, whilſt the *Dutch* Ambaſſadors ſhould be expecting their Inſtructions for the Point of Commerce: Such a Motion as this, we thought it our Duty to prevent, as a Thing of great Prejudice to our Negotiation; for beſides that, we hold it for an univerſal Maxim, never to be varied from in this Kind of Negotiation, to begin firſt with the hardeſt Points, which if obtain'd, the reſt will follow without much Difficulty; and if not obtain'd, the Scandal of refuſing a Peace, for the Sake of one or two Points, when the reſt are adjuſted, will be avoided by that Party, which makes the hardeſt Points to be his firſt Buſineſs: The Mediators had let fall Words plain enough to convince us, that the *Dutch* are as far as can be imagin'd from any Intention to yield to the Eſtabliſhment which our Project bears in the Commerce. On the other Side, we thought, that if the *Dutch* were reſolved to Chicane, and never come to a Settlement in this Point, it would adminiſter to the Parliament, a more ſenſible Evidence of their Obſtinacy, than any one it may be of the other ſix Points would do, in Regard that in this Article, there is a Complication of the Honour and Revenue of the Crown joyn'd with the Intereſt of a great Body of Men, together with the Vent and Commodity which the whole Nation finds, in the vigorous carrying on of that Trade.

But Count *Tott* prevented us from entring into any Diſcuſſion of that Point, in telling us, by Way of Anſwer to our Complement of Thanks, that the Atteſtation they had given us, was that which in Juſtice they could not deny us, and that they, tho' they had endeavoured to inſinuate it in the gentleſt Manner poſſible, with a Deſign to prevent further Embarraſs or *Eclairciſſement* upon that Point, (being meerly a Point of Conduct and Form) have not been able to avoid what they apprehended the *Dutch* Ambaſſadors would come to; they having, (as he worded it) with a great deal of Rudeneſs in their Diſcourſe, and a great deal of Untruth in their Letter, put them the Mediators in the Fault, which they muſt, he ſaid, now take upon themſelves, and get out of it as well as they can: Having ſaid this, he gave us the Letter to read; and when we had read it, each of us (by their Patience and Favour) once over, he, and M. *Ehrenſteen* in their Turns, proceeded to make their Reflexion upon the Letter itſelf, and upon a Converſation they had had ſome few Hours before with the *Dutch* Ambaſſadors about it. They did not ſee, they ſaid, with what Face the *Dutch* Ambaſſadors could averr, as they did, in downright Terms, that they had not, ſince the Letter of the $\frac{2}{12}$*th July*, which the Mediators had writ to them, received any Propoſition from them, or from us, upon the Point of Commerce, there having been a moſt expreſs Propoſition of it made to the *Dutch* Ambaſſadors, in our *Ultimatum* of the 5*th*, and our Explication of the 11*th* of *September*, *N. S.* which the Mediators had given them in Writing; *ſecondly*, that the Evidence of that Matter of Fact forcing them, the *Dutch*, to bring ſome Temper, for Shame, to that bold Aſſertion, they tell the Mediators, they had communicated to them that Paper of the 11*th* of *September*, but with ſo many Defects of Form and Solemnity, as that the Paper was a *Brouillon* blotted and blurr'd; that they communicated it to them, after they had ended the Conference they were then upon, and were riſen from the Table, and had only lent it them, upon Condition to reſtore it again, and that the *Engliſh* Ambaſſadors had never avow'd the Contents of it; the

Count

Count ſaying, with much Indignation, that Men of Honour ſcorn to have Recourſe to ſuch little ſtarting Holes as theſe are, when the Subſtance of the Thing, *viz.* that they had had the Communication of that Propoſition, was of an Evidence not to be contradicted; adding, if it had happen'd that ſome Circumſtances of Form had been omitted, it was very ungenteel and unfair to lay ſo great a Streſs upon a little Neglect or Miſtake as to *accroch* the Peace of Chriſtendom upon it. He enlarged his Complaints further, in ſaying, that for the *Dutch* Ambaſſadors to ſay, they did not conſider the Paper, becauſe they had not a Copy left with them in Form, but had borrowed the Mediators Original, and ſent it back again, was not a Conduct that did become Men, that acted *bonâ fide*, or had any Regard to that Sincerity and Zeal, wherewith they the Mediators had proceeded all along. Here we took leave to put in a Word, to make the Grimace of the *Dutch* Ambaſſadors to appear ſomewhat more evidently, (what it is indeed) a downright eluding of the Truth of the Fact, and the *Franchiſe* of the Mediators. They the *Dutch* Ambaſſadors confeſs, the Paper of the 11*th* of *September* came to their Hands, but ſo as they gave neither Anſwer nor Heed to it; but they mention not a Syllable of the *Ultimatum*, which having been given them ſome few Days before, gave them Cauſe to demand the $\frac{1}{11}$*th* of *September*, which they are ſo loath to take notice of, as an Explication to it, the *Ultimatum* which their Letter mentions not, being that by which our Propoſition was communicated in Form, the Explication being only incidental to it; nor are they pleas'd to take notice, how that by their ſeveral Letters of the $\frac{27\ Sept.}{9\ Octob.}$ they have refuſed both the *Ultimatum* and the Explication, their Refuſal and their Reaſons in thoſe Letters being ſufficient Evidences they had had very mature Deliberation, both upon the one and the other. In a Word, Count *Tott* was very much moved with M. *Beverning*'s downright ſaying to them, upon ſeveral of theſe Matters of Fact, while they debated them — *cela n'eſt pas vray*; however, that conſidering his Figure, he had reſtrained his Reſentments till after the Peace was made, anſwering to ſeveral bold Affirmations of theirs no otherwiſe, than Meſſieurs *Nous n'en Convenit pas*, concluding it was a very hard Thing, that becauſe Men came to a Conference, after their having drank a free Glaſs at Dinner, as M. *Beverning*, they ſay, ſometimes does, they the Mediators muſt be forced to ſuffer ill Language, and have Miſtakes imputed to them. He cloſed this Converſation, with deſiring firſt our Advice upon this troubleſome Step; then making it the Requeſt of the Mediators to us, that we would enter into Matter with them upon this Point, and make the utmoſt Abatements and Conceſſions our Inſtructions would give us leave to make; and the rather, in that it was certain, as he ſaid, that if we receded from two Points and a half of thoſe three Points we had given in, the *Dutch* would never comply, nor come to the half Point left; which made us reflect upon what M. *Sparr* had told us the Day before, that M. *Beverning* having read over our Project, as 'tis now in their Hands, ſaid, the *Engliſh* Ambaſſadors might as well have demanded the one half of the Province of *Holland*, as the three Points which they would have eſtabliſhed in the Matter of our Commerce. to the giving of any Advice to their Excellencies, we excuſed ourſelves the beſt we could, with a Deference, ſuch as is due from us to their great Wiſdom and Prudence; as to any Conceſſions, which might be expected from us, we told them, we were ready to attend them at the *Carmes*, whenever they ſhould pleaſe to ſummon us; offering (laſt Night) to render ourſelves there, if they ſhould think fit, this Morning, and

and the rather, in that the *Dutch* Ambaſſadors, in the Cloſe of their Letter, have an ambiguous Intimation, that they will not decline a Conference, if the Mediators ſhall think fit; and ſo we left the Mediators to deliberate upon this Point of a Conference, but hear not from them this Morning.

SINCE the Beginning of this Diſpatch, we have the Honour of your Lordſhip's of the *29th* of *December*, *O. S.* come to Hand, and therein we acknowledge, with all humble Thanks, the Particulars it hath pleaſed your Lordſhip to give us, of what comes to your Lordſhip from the *Spaniſh* Ambaſſador and others, about the ſecret Article between *Spain* and *Holland*. C. *Tott* hath confirmed the ſame Thing here, having had it, as he told us, from M. *Beverning*'s Mouth, that the Catholick Queen hath not yet ratified that Article.

THE Negotiation at *Liege* ends in this Queſtion, whether 4000 or 6000 Crowns ſhall be given to M. *de Lyſola* for a Preſent, all other Matters remaining as they were.

THE Prince Elector of *Saxe* is advanc'd with 4000 Men as far as *Fulda*, in his Way to joyn the *Imperial* Army upon the *Rhine*. The *French* Garriſon at *Treves* hath fetch'd in the Count *de Naſſau Sarbrugg* and his Wife to *Treves*, he not giving the Aſſurances they required from him, of his not Siding with the Emperor.

WE are diſappointed of our Hopes of obtaining a Copy of the Letter, which the *Dutch* Ambaſſadors had written in Anſwer to the Mediators; the *French* Ambaſſadors having attempted, but in vain, to get it for us: M. *Ehrenſteen* had carried the Original to the *Hollanders*, with a Deſign to prevail upon them, to take it back again, and to enter into Matter upon the Project itſelf. They told us, C. *Tott* had ſhewed them ſome Remarks he had made upon that Letter, intending thoſe Remarks ſhould accompany it to the King his Maſter; they ſay, they are very clear and ſolid, expreſly owning the Point in Queſtion, to have been one (the ſixth) of our *Ultimatum*, and making it out, that the *Engliſh* Ambaſſadors had done all that was asked of them, and all in their Power to notify to the *Dutch* the Point of Commerce, a Part of thoſe Demands, which the King their Maſter would have inſiſted upon; that they the Mediators had likewiſe done their Part, to communicate this as well as other Points, to the *Dutch* Ambaſſadors; having put our *Ultimatum*, which had this Point in it, and our Explication of it, above four Months ago into their Hands; and that they the *Dutch* Ambaſſadors, confeſſing (as they do) not only the Notice they had of the Propoſitions, but the Refuſal they have made upon it, do now *accroch* the Affair upon a Cavil and a Chicane, that hath no Colour in Fact or in Reaſon to ſupport it. The *French* Ambaſſadors ſay, they cannot think the *Dutch* Ambaſſadors will take their Letter back again, but the Mediators told them, they would have a Conference at the *Carmes*, with all convenient Speed; we not hoping that that Conference will have any Thing deciſive in it, cannot think fit to detain this Expreſs any longer; eſpecially, ſince we expect one to arrive here from *London* within a Day or two, and may be diſpatched back again, as ſoon as this Affair ſhall give us any Cauſe. We are, *&c.*

 To

To the Lord Ambassador *Lockhart.*

Cologn $\frac{13}{23}$ *Jan.* 1673-74.

My Lord,

In our last, (of the Ninth and Nineteenth) we took leave to give your Excellency, a Narrative of our Progress here, in the Offer we had made, to enter forthwith into Matter with the *Dutch* Ambassadors upon the six Propositions in his Majesty's Answer to the *Spanish* Memorial, and in the Project we had given in, of an Article, consisting of three Points, for the present Regulation of Commerce in the East-*Indies* and upon the Coast of *Guinee*, which Project the Mediators conveyed by their Letter to the *Dutch* Ambassadors; the *Dutch* Ambassadors, instead of entring upon the Debate of that Project, writ a very long Letter of the $\frac{7}{17}$*th* to the Mediators, telling them, 1. That the Point of Commerce had been on *July* last, (as they perswaded themselves) wholly put off to Commissioners, to be adjusted after the Peace is made. 2. That it is a Thing of infinite Length and Intricacy; that this precious Time is not to be spent upon it, since it may be much better imploy'd in giving a Peace to Christendom. 3. That tho' it was not to be denied, but that the *English* Ambassadors had right indeed, if they pleased, to enter upon and unravel this Point; yet then it must be allowed, that they, the *Dutch* Ambassadors, likewise are no longer tied to the six Propositions in his Majesty's Answer, but are to be left to their Liberty, to bring into Debate any Matter they shall think fit, *&c.* The Mediators finding this Letter to assert some Things that were very distant from the Truth in Matter of Fact, and to insinuate other Things, that reflect highly upon their Conduct as Mediators; went at least to one of them, (the *Dutch* Ambassadors House,) and had such an *Eclaircissement* with them upon that Letter, that having remonstrated to them, what Answer they intended to make in Refutation of that Letter, the *Dutch* Ambassadors thought fit to take their Letter back again, and to give their Word it should no more be talked of, nor would they report it to their Masters.

This Embarrass being thus over, we were warned over Night, to a Conference to be had on *Saturday* last at the *Carmes*; but after this Notice given us, the Mediators, about two Hours before the Time, sent us Word, it could not be there, desiring us (the *Dutch* Ambassadors, it seems, not agreeing to the Place) to render our selves at the Mediators House at the Hour first appointed, where the *Dutch* Ambassadors had the Apartment of M. *Sparr*, and we that of C. *Tott.* The Count began with us, in desiring to know, that since there were two Projects, one of our's, and another of the *Dutch* Ambassadors before them, as it was their the Mediators Design, to make such an Article out of both of them, as should accommodate both our Pretensions, whether there was any Thing we were willing to remit for the more facilitating of their Mediation? We told them the Points in themselves were essential to the Liberty, nay, to the very Being of our Trade in the *Indies*; that we could not depart from any of them, without leaving our Trade to the Mercy of our Rivals; and that each Point in it self was of such incontestible Equity, as we thought no Exception could be taken against any Thing in them, since we intended all to be reciprocal. The Mediators upon this went down to the *Dutch* Ambassadors, and upon their Return told

told us, they had gained one Point for us, with that one Journey down Stairs to the *Dutch* Ambaſſadors. But the Point proved to be no other, than that poor one of *Surinam:* from that they went to the *Fiſhery*, which gave us Occaſion to obſerve to them, that now we had entered upon the Point of Commerce, and that it was our Hope and Deſire, with their Favour, to finiſh that before we ſhould enter upon any other; then paſſing to the Point of Commerce, they told us, the *Dutch* Ambaſſadors looked upon the adjuſting of it as impoſſible at this Time, from the Methods of conſulting the Intereſſents at Home; and from their Want of Knowledge, being no Merchants, and of Inſtructions requiſite to treat an Affair ſo intricate: In a Word, the Mediators let us ſee, they the *Dutch* Ambaſſadors had no Mind to come to this Point; and if we underſtood them rightly, they did as good as ſay, they had no Orders to enter upon this Matter, and ſo the Mediators diſmiſſed us at that Time. This Day, we expect to be ſummoned to a ſecond Conference; if there be any Thing very notable or deciſive in it, we hope to have Time enough to add a Line of it herein by a Poſtſcript; in the Interim, we may ſay in Confidence to your Excellency, we expect nothing but Grimaces and Deluſions from the *Dutch* Ambaſſadors, in Conformity to thoſe Profeſſions their Maſters have made of ſeeking a Peace with his Majeſty; for there is not to us any Appearance they will conſent to any Thing of a Regulation to our Commerce, otherwiſe than by turning the whole Affair over to Commiſſioners; nor will they be brought to endure ſo much as a Mention of any Thing we pretend of his Majeſty's Right in the *Fiſhery*, to be inſerted into this Treaty. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{13}{23}$ *Jan.* 1673-74.

My Lord,

THE laſt we troubled your Lordſhip with were of the $\frac{6}{16}$ $\frac{9}{19}$ Inſtant by Mr. *Carlton*, which we had kept by us ſome Days, in Hopes of being able to give your Lordſhip ſome more particular Account of the new Negotiation we had, by his Majeſty's Command, offer'd the *Dutch* Ambaſſadors, to enter into Matter with them, for the wording and adjuſting Articles upon the ſix Propoſitions contain'd in his Majeſty's late Anſwer to the *Spaniſh* Ambaſſadors Memorial; your Lordſhip will have ſeen in the later of thoſe Diſpatches, in what State the Matter then was, that it ſtuck at an odd Kind of Letter, the *Dutch* Ambaſſadors had written to the Mediators of the $\frac{7}{17}$*th*, in Anſwer to theirs of the $\frac{5}{15}$*th* Inſtant, which had carried our Project of an Article in the Point of the Reglement of Commerce in the *Indies* and on the Coaſt of *Guinee*; we gave your Lordſhip the beſt Account we could, upon the Strength of our Memories, of the moſt material Parts of that Letter, the Reflexions the Mediators had made to us upon it, and of the Pain they ſeemed to be in, how to get clear of an Embarraſs, they ſaw the *Dutch* had a Deſign, on Purpoſe to throw them and us into, in this Matter. *Friday* the $\frac{9}{19}$*th* Inſtant in the Evening, ſome Hours after the Expreſs was parted, we received a Summons from the Mediators, to be at the *Carmes* next Morning at ten a Clock; about nine next Morning, as we were ready to take Coach, arrived the ſame Gentleman to tell us from the Mediators, that the Meeting could not be at the *Carmes*, as was firſt intended; but that it was deſired to be at the Houſe of them the Mediators, and that we would be expected there ac-

 cordingly,

cordingly, at the Hour of ten that Morning: We anſwered, we would obey their Commands, and accordingly being arriv'd there at the Hour, the Mediators all three met us at the Door of M. *Sparr's* Apartment, telling us, they had lodged the *Dutch* Ambaſſadors in that Apartment, and deſired us, we would walk up into that of C. *Tott's*. Being ſat, the Count told us, they were to give us an Account of what had paſſed in this new Negotiation, ſince they ſaw us: and in the firſt Place, he ſaid, they the Mediators would deſire us to believe, that relying entirely on the Aſſurance they had, that his Majeſty's Deſire or Inclination in this new Negotiation, was not to make a ſeparate Peace, ſo as to abandon the reſt of his Allies: and being on the otherhand perfectly ſatisfied in their own Judgments, that the King's Buſineſs being done in the Way it now is put, (*Son affaire eſtant couche*, were the Words) it might be a very good Means to bring on the reſt of the Allies, and ſo the Peace might be general; and at the ſame Time having, as they ſaid, the Confidence, they pray'd us to believe that it was with all the Sincerity and Heartineſs in the World, that they entered upon this Buſineſs, and that they would apply themſelves with all the Zeal imaginable to conduct this Matter, to his Majeſty's beſt Satisfaction, and to the Ends he aimed at; that in this View it was, that they had prevailed with the *Dutch* Ambaſſadors wholly to withdraw that Letter they had read to us of the $\frac{7}{17}$*th* Inſtant, ſo as not to have it at all appear; the *Dutch* Ambaſſadors, as they ſaid, having ſolemnly paſſed their Word, that they would not ſo much as make Report of it to their Maſters: This Difficulty, they ſaid, being removed, they had now brought the *Dutch* Ambaſſadors thither to their Houſe in lieu of the *Carmes*, where the Meeting had been firſt appointed, in Gratification to the *Dutch* Ambaſſadors, who, they told us, for Reaſons of their own, had deſired it might not be at the *Carmes*; ſo as both Parties being now brought thither, they the Mediators deſired (as they continued) to know, what we had to command them further for our Service, in Order to the advancing this Negotiation; what we had further to propoſe to the *Dutch* upon the Point choſen out, to proceed firſt upon; that is, they ſaid, the Method they were to govern themſelves as Mediators by in this whole Matter, muſt be to try to bring the Parties to meet one another as near as they could, by perſwading one to fall, and the other to riſe in the Points in Queſtion; ſo as they pray'd us, to ſay what we could ſay further to them upon the Point now in Debate, for the furthering, as much as might be on our Part, a ſpeedy Agreement upon it: We anſwer'd, that we had already given in what we had to ask in the Point, in the Project of the Article we had delivered to them the Mediators ſome Days ago; that the *Dutch* Ambaſſadors having withdrawn their Letter of the $\frac{7}{17}$*th*, and ſo nothing having been ſince done by them, in Return to that Anſwer of ours, we looked upon it, that we had made the laſt Step; and that therefore, it was now at the *Dutch* Ambaſſadors Door to ſpeak next; as to the Matter it ſelf of the Point of Commerce, now in Queſtion, when it ſhould come to our Turn to ſpeak in that, we told the Mediators, all that we could ſay would be, that the particular Points we inſiſted on in this Article were but three, but alſo ſo very eſſential and neceſſary to the carrying on of our Trade in thoſe Parts, that no one whole one could be abated by us, and the leſs, becauſe that in Effect two of the three had been already yielded by the Commiſſioners of the States to Sir *William Temple*, his Majeſty's Ambaſſador at the *Hague*, in the Years *68* and *69*; and as to what their Excellencies preſſed, that at leaſt we ſhould condeſcend to moderate, *&c.* abate at leaſt

least some Degree or Circumstance upon all or some of these Points, such as the Matter should come to stick most at; we answered, that their Excellencies, when they came to consider them nearer, would find them all in their Natures so plain, single, and in a Manner so indivisible, that we could not see any one Circumstance scarcely that could be separated from them, so as not to lose thereby the real Scope and Effect of the Point itself; only we let fall, as if in that last, about the monopolizing of Commodities, it is possible the *Dutch* might insist, that that Condition might be softned, and yet the Point it was annex'd to, remain entire, and secured in its Substance. Besides that, we said, that we could not see, how any one of the Points were capable of any Abatement or Moderation in any one Circumstance: This we more readily avowed to them, in Compliance with the Instances they made us, for Moderation and Abatements, in the general; because we hope the Scope and Effect of the Article is otherwise sufficiently provided for, in the rest of the Article; and that we find, in the Proposals and Memorials of the East-*India* Company, given in heretofore in 1668, and since upon that Point, they themselves content themselves with a Stipulation, that no such Bargains or Contracts be for the future made, and that those already made, or which shall hereafter be made, shall not hinder or impede the *English* to Trade in the same Places, and in the same Commodities, *&c.* without insisting peremptorily to have those already made, formally revoked and annulled; altho' we are far from having in any Degree given up that Clause; nor shall we, till we see a fair Appearance that the yielding of that will assure, or at least facilitate for us, the rest of the Article, and that we do not find Cause to lay more Weight upon that particular Clause or Condition than yet we do, or receive his Majesty's Commands otherwise in it: from this the Mediators passed, to alledge to us another Difficulty, the *Dutch*, they said, might make in this Point; which was, that it was of a Nature so intricate, and which, considering how great a Body of People it was, that had Interest in it in their Country, would, according to the Forms of their Government, require so much Time to consider of, and to come to a Resolution upon, that it could not be imagined possible to settle it in this Treaty: To this we answered, that those very Points had been debated and discussed for near three Years together, in the Years 68, 69, 1670, between the States Comissioners and Sir *William Temple* his Majesty's then Ambassador; that they had passed and repassed through all the Chambers of the *Indies* Traders to *Guinée*, Council of State, and all other the Forms of their Government, that all had been said to the last Word on each Part that could be said; of all which, we said, we had by us an exact Narrative and Discussion, if it were necessary to prove it: So as all would be found ready consider'd to their Hand, and consequently no great Time would be required in the Thing. But suppose it did require Time, we said the *Dutch* had been possessed of that Demand of ours, now above four Months, solemnly and in Form; that it must be remembred, that this very Objection of the Length of Time this Business would require, before it should come to a Resolution in their Government, was the Objection, and the only Objection we could find they then made to it; so as it having been left with them so many Months ago, as a Demand the King our Master would finally insist upon, they have had all this Time, which is more than enough, to give it what Examination and Consideration it could possible require, and consequently, we thought that Objection ought no longer to be allowed them against the Thing. Upon this, the Mediators rose and told us, they

they would go try what the *Dutch* Ambassadors would say to them in the Matter; about half an Hour after, the Mediators returned to us, and being sat, Count *Tott* told us, if they could but every Time they went down to the *Dutch* Ambassadors, bring us back one Point with them, Matters would soon be at an End between us, meaning that the *Dutch* had already yielded us one Point, *viz.* that of *Surinam*; which, Count *Tott* told us, the *Dutch* had agreed to as his Majesty had proposed it.

As to the Point of the Fishery, he said, the *Dutch* Ambassadors had discoursed something of that to them; that *Beverning* had shewn them the *Treaty of Intercourse* of 1495, which they pretend principally to insist upon; but that, however, *Beverning* said, they could not dispute the King's Right in the Matter; only the Thing having never been yet in any Treaty, but perpetually, whenever moved, left still as it was to rest; as in the Usurper's Time, when it had been contested for above 6 Months together, between *Cromwell's* Commissioners and the *Dutch* Ambassadors, of whom, *Beverning* said, he was one; they said, they hoped his Majesty would please, that it might still remain in the same Terms it had hitherto continued, that is, said C. *Tott*, *sub connivcentiâ aliquâ*; and then immediately retracting himself, adding, they had not indeed just said that Word, but that they pray'd his Majesty would please to leave that Matter as it was, without insisting to have it enter into this Treaty; which, they said, they would acknowledge as an eternal Obligation from his Majesty, and would endeavour to deserve his Majesty's Goodness in it; this, he said, was what they had understood of their Mind as to that Article.

As to the Point of Commerce, which was now the Point in Question, he told us, the *Dutch* had confessed to them, they were so far convinced of the Importance of those Points, and of the Necessity there was to adjust them, that they did not believe they could ever have a hearty solid Friendship with *England*, till those Matters were finally settled between them; that therefore they were most ready and desirous to do it by Commissioners, and even *des à present*; that is, said the Count, as far as he could understand, *quasi aujourd'huy*; but to do it now in this Treaty, they desired, they said, to be excused; that the Matter was of a Nature not to be handled or dealt in but by Men of Trade, and these too of the greatest Abilities and Experience: That *Beverning* had added, he had been near 40 Years conversant in these Matters, and yet, said he, could not say, he had in any Degree that Knowledge, that was necessary for the handling of such a Point; that it was true indeed what we had said, that those Points had been debated with his Majesty's Ambassador at the *Hague* for near 3 Years together; but, they said, that Argument turn'd upon us; for it was a Sign the Matter was, as they now pleaded it, of very great Intricacy, and full of Difficulties, seeing it had not been adjusted in so many Years. We own'd indeed, that was a Sign that a Difficulty had been made in it on the Part of the *Dutch*, but withal we said, after so much Time spent in the Discussion of it, it was to be concluded all had been throughly argued and debated on both Parts, and there would be little remaining for further Debates in that whole Matter. Besides that, as we told the Mediators, it was plain, by the Narrative of what had passed in the Thing, that there had nothing been left unsaid of either Side, that could any Way lead to the final Determination of the Thing in Question. Having observed by the Report the Mediators made us, that the *Dutch* Ambassadors had, in their last Conference with them, mingled our three new

Points,

Points, anfwering upon that of *Surinam* firft, and leaving the other two, which are much the more important ones, and particularly this of the Commerce, without any clear final Anfwer, that we could be yet able to gather, we put the Mediators in Mind, that having, at the Choice of the *Dutch* Ambaffadors themfelves, enter'd into Matter with them upon this Point of Commerce in the *Indies*, we defired, fince they had chofen this Point to go firft upon, that this might be finally clear'd between us, before we engaged in any other of the Points; tho', we faid, for any Thing as we faw, we were like to have a very fhort Iffue of all of them; it appearing, by what the Mediators had now declared to us, that the *Dutch* Ambaffadors had already given us a negative to the main Points of the Fifhery and the Commerce: Count *Tott* took us up a little fhort, faying, we went too faft in the Matter; that there had been hitherto no negative given, as they apprehended; it is true, the *Dutch* Ambaffadors have not yielded to either of them, but that they had not likewife formally refufed them: We anfwered, we could not apprehend, according to what their Excellencies had been pleafed to report of their Conferences with them, but that they had indeed deny'd us both the Points, defiring the Fifhery might remain as it was, and that of Commerce be referr'd to Commiffioners. Upon this, we pray'd them, that if their Excellencies had found, that they did not totally refufe us the adjufting this Point of Commerce, that they would pleafe the Article we had given in might be made the Subject of our Debate, and that we might go over it Part by Part, to fee what the *Dutch* had to fay againft it; and that, we faid, we apprehended would be the moft natural Method, and moft likely to bring us to underftand one another upon the Matter of that Demand, in cafe, as their Excellencies faid the *Dutch* had not at once refufed the whole: We were anfwer'd, that the *Dutch* had likewife given in an Article upon the fame Point, on their Part, and they pretended that ought to be more properly the Subject of our Debate; we reply'd, there was this Difference in the Cafe, that the firft Overture of this Negotiation having been made by the King our Mafter, to proceed upon Conditions propofed by his Majefty, it was certainly moft reafonable we fhould offer our own Article, that is, what the King our Mafter demanded, and in what Form: That the Article offer'd by the *Dutch* Ambaffadors was quite of another Nature, and grounded upon very great Miftakes in Fact, which they, the Mediators, had judged to be very unfair and difingenuous towards themfelves, as well as us; and therefore, we faid, we hoped, they, the Mediators, would eafily allow; that if the *Dutch* would at all pretend to proceed with us upon this Point, it was to be done upon our Article, and not theirs: Count *Tott* replied, their Bufinefs [illegible], to fee if they can get the Parties engaged once into Matter, that was their firft Bufinefs they thought: That in order to this, he faid they had been difcourfing below with the *Dutch* Ambaffadors, upon that Point of Monopolies, or Contracts for the fole buying of Commodities, &c. and upon that, he faid, their (the Mediators) Thought had been, to propofe fome kind of Temperament between the Parties; as for Example, that as to all Places that are under the Subjection, or in the Poffeffion of the one or the other, there fhould be one Sort of Rule as to this Point, for all fuch Places; for thofe that were (as he called them) Neuters, that is, under neither Company or People, the Rule fhould be another Way: And then he faid, becaufe it was alledged by the *Dutch*, to be a Work of infinite Time and Difficulty, to determine and agree what Places are really and indeed under the Sub-

jection

jection of either Party, and what not; that this ſhould be therefore left to Commiſſioners to determine, meaning *Ceylon* for one; about which, he ſaid, they were told, there might be great Diſputes between us, how far it was under either of the Parties, and how far it is to be reckoned amongſt thoſe neuter-Places, as he called them: To this, we ſaid, we did not well comprehend the Meaning of this Expedient, nor how it could be applicable to the Point in Queſtion between us, we thought the Article we had given in was plain and clear in the Thing we aimed at: That as to Countries, or Places that were in the actual Occupancy of either Party, and under their Government and Subjection; as to all ſuch Places, they were wholly out of the Caſe: We did not intend that any of the three Points in our Article ſhould extend to any ſuch Places, and the Article was expreſs and clear, that it did not extend to any ſuch Places: The Rules we demanded to be ſet, were only for Trade to ſuch Places and Countries as are not in the actual Poſſeſſion of either Party, or under their Government: That we propoſed the Article might go, as is natural for all Rules of that kind, in the general, without any Enumeration of Particulars; which, we ſaid, we did not apprehend was at all neceſſary in this Caſe; as if thereafter it ſhould be found fit, we did not deny, but that might be one of the Things that the Commiſſioners to be appointed for the remaining Parts relating to the Regulation of Trade, might, at their Meeting, conſider of: And this, we ſaid, was plainly what we mean in this Matter, as their Excellencies would perceive by the Frame of our Article; which we therefore pray'd, they would pleaſe to read and conſider of: Accordingly M. *Ehrenſteen* took our Project, and went over it leiſurely Head by Head; in the firſt Point, about the Liberty of Trade, we deſired them to take Notice, it was expreſly limited to ſuch Countries and Places, as are not in the Poſſeſſion, or under the Government of the other Party; and ſo we ſaid was the Clauſe againſt erecting Forts to cut off or hinder our Trade. When we came to the laſt Point, which is againſt Contracts for the ſole Trading in a Commodity, having explain'd the Caſe to them, what the Abuſe was, for which we demanded a Remedy, M. *Ehrenſteen* told us, that, as far as he could underſtand, the Caſe in that Point on the *Dutch* Side, was not againſt the Law of Nations, or unreaſonable; that is, upon a Conqueſt for Example, or otherwiſe by a Treaty, the *Dutch* might juſtly enough, according to the Law of Nations, ſtipulate with a People or Country, that they ſhould deal with none but them, for ſuch a Sort of Commodity. Count *Tott* interpoſed very frankly, that poſſibly ſuch a Stipulation may not altogether be againſt the Law of Nations, but at leaſt it was not reaſonable or juſt, that in virtue of any ſuch Treaty or Agreement, the *Dutch* ſhould therefore fall upon the *Engliſh*, in caſe it happen'd that they ſhould trade with the ſame People for the ſame Sort of Commodity: that it, ſaid he, does not ſeem juſt, that the *Dutch* ſhould hinder the *Engliſh* from Trading with thoſe People, even in the very ſame Commodity, in caſe the People be willing to it: We ſaid, what the Count *Tott* had anſwer'd in the Point, would, we thought, be found very juſt and reaſonable; and we added, that the Violence we complain'd of was, that under Colour of ſuch Contracts or Agreements as theſe, the *Dutch* pretended to hinder us from Trading with the ſame People in that Commodity, and to ſeize and detain our Ships: Whereas, we ſaid, in caſe ſuch Contracts were to be allowed of, the *Dutch* were however to take their Remedy againſt the People, that ſhould thus violate their Contracts, and not againſt us; and this, we ſaid, we demanded

manded might be provided for in that Point. The Mediators told us, they would not fail to represent what we had discoursed to them in this Conference, to the *Dutch* Ambassadors, and that we should have an Account what they said in Answer to it: And so rising to take our Leaves, Count *Tott* repeated again what we have observed he takes Occasion frequently, and with great Solemnity, to mind us of, *viz.* The entire Confidence they have in his Majesty, that his Majesty does not design to make a separate Treaty, so as finally to close and sign without his Allies; because they apprehended, as they say, that were a Means to throw all *Europe* yet further into the War: That upon this Foundation it is, that they, the Mediators, do enter so heartily and zealously upon this new Negotiation between us and *Holland*, in the Way it is now in, in Hopes that this very Thing may be a very probable Means to draw on the General Peace; and that his Majesty having brought his own Affairs to an Adjustment with *Holland*, would be able to contribute very greatly to the inclining his Allies, in case there were need of it, to the same Degree of Reasonableness in their Demands, and so the General Peace be closed at the same Time: This, he told us, was their Plan, and they looked upon it indeed as the most likely Way they could yet discover, of bringing about the General Peace.

We observed at parting, that upon something M. *Ehrensteen* had said to him in *Swedish*, the Count turn'd short to us, and wish'd us not to take what the *Dutch* Ambassadors had yet said in the Point of Commerce for a final Negative; adding, that Things of great Weight could not be moved all at once; Matters of this Moment would not be granted at the first, *&c.* which tended to give us Hopes, as if the *Dutch* might be brought to adjust this Matter of Commerce with us: Whereas we had observed, that in several Parts of their Conference, he let fall what in other private Discourses they had expresly avowed to us, tho' underhand and in private, that the *Dutch* had declared, they had no Orders to enter upon this Matter of Commerce in this Treaty, otherwise than to refer it to Commissioners; and this having been so often own'd to us by the Mediators, in Confidence, and under the Tye of Secrecy, we thought it would be our Duty, considering the present Conjuncture of the Parliament's sitting, and that one of the great Aims the *Dutch* have in all Likelihood, is to keep off the Parliament from granting any Supply to the King, by pretending that they were ready and actually proceeding to give his Majesty Satisfaction in his Demands: We apprehended it our Duty, if possible, to be able, by the very first Ordinary, to say openly and avowedly, what the Mediators had hitherto told us only in Confidence, that indeed the *Dutch* had no Instructions in the Point of Commerce; which is the Point they themselves have singled out to go first upon: nay, further, that they did not expect they should have any in it. To this End, we went yesterday to know of the Mediators, what Answer they had received from the *Dutch* Ambassadors, to what we had said two Days before to them, in our Conference upon the Point of Commerce; and to know, if indeed the Ambassadors had Instructions to enter into Matter with us upon that Article, for the adjusting it in this Treaty, or not? They told us, they had not seen yet the *Dutch* Ambassadors, but desired we would come to a Conference at their (the Mediators) House upon this Matter this Morning; and the Mediators having proposed to the *Dutch* Ambassadors the Matter, who were also in another Apartment at the same Time, they returned with this Account, that the *Dutch* Ambassadors had

anſwer'd, the States, their Maſters, thought they had ſufficiently inſtructed them to enter upon this Point of Commerce with us, and even to adjuſt it according to the King our Maſter's own Demand; which, ſaid the Mediators, the *Dutch* Ambaſſadors alledge to be no other than what they offer; that is, the referring the whole Article to Commiſſioners: This, the Mediators told us, the *Dutch* Ambaſſadors underſtand to be the King's own Demand in the Thing, as well becauſe it was what he had been pleaſed to content himſelf with, even in the Year 1672. by his Demands of *Boxtell*, as that by the Words of his Majeſty's Anſwer to the *Spaniſh* Memorial, all that his Majeſty asks in this Point is, that there be a *Reglement de Commerce*, &c. equal and reciprocal in the *Indies*, *tel qu'il a eſté ſouvent fois promis & particulierment dans le Traité de Breda*; in thoſe Words they read it to us, out of a Paper the *Dutch* Ambaſſadors had put into their Hands; ſo then they argued, the King deſires but ſuch a Reglement in this Point, as was promiſed by the Treaty of *Breda*; and all that was ſtipulated by that Treaty was, that it ſhould be referred to Commiſſioners, *&c.* ſo, as they ſaid, the States had concluded they had entirely ſatisfied his Majeſty's own Demands in this Point, by offering to refer it to Commiſſioners. We anſwer'd, as to the Demands of *Boxtell*, if the *Dutch* would allow the King all the other Demands of that Paper, and particularly the Places his Majeſty then inſiſted upon, his Majeſty would eaſily condeſcend to Temperaments not only in theſe, but in ſeveral other of the Points now depending between us and them: But that Argument we found ſo trifling, that the Mediators acknowledged they had themſelves given an Anſwer to it; as to what they alledged out of the King's Words in his Anſwer, we ſaid it was plain, when his Majeſty ſaid he would demand an equal and reciprocal Regulation of Trade in the *Indies*, ſuch as, *&c.* it was meant of the Regulation and Quality of the Regulation, that it ſhould be equal and reciprocal, not at all of the Manner how it ſhould be made and ſettled, *i. e.* by Commiſſioners, as they would ſtrain the Words: This, we ſaid, was the Meaning of thoſe Words, and could be taken to be no other, without a very forcible and unnatural Conſtruction of them; and this being our Maſter's Meaning, we pray'd the Mediators to demand an Anſwer from the *Dutch* Ambaſſadors, whether, according to this Senſe of adjuſting this Point in this very Treaty, they had Orders and Inſtructions to proceed with us upon this Article of the Commerce or not? They did accordingly propoſe this Queſtion, and brought us for Anſwer, that the *Dutch* Ambaſſadors did deſire to be excuſed from giving any Anſwer for the preſent to that Queſtion; that *Beverning*, as they ſaid, like an old cunning Treater, had ſmil'd, and ſaid, they muſt go Home to conſider a little: That it was true, they had poſitive Orders from their Maſters how far to go with us upon all theſe Propoſitions, but that they muſt go Home and ſpeak together, and that they would return the Mediators an Anſwer in Writing to Morrow Morning. This, the Mediators told us, was all the Anſwer they could get for us in this Point, and ſo we were forced to leave it.

WE obſerved the Count *Tott* told us expreſly and roundly, that as to the Point of the Fiſhery, the *Dutch* Ambaſſadors had declared to them often and often, that they did not ſee any Poſſibility of it; they could not ſee how poſſibly any Thing could be done in it; but his, the Count's, Opinion was, as far as he could judge, that if that could be abated on his Majeſty's Part, there might be Hopes of having them do ſomething upon the Point of Commerce.

WE

We find the *Dutch* Ambassadors have declared, they will, in the whole Course of this Negotiation, treat thenceforth altogether in Writing, and that obliges us humbly to apply, by your Lordship's Favour, for his Majesty's Pleasure, whether we should not observe the same Method: Hitherto we have not, in Regard the *French*, to whom we were order'd to conform ourselves in the Way and Manner of Treating, were not of the Mind to do it.

The Conference at the Mediators had not left us Time to be so particular at present, on some of these Points, as we ought otherwise to have been: But your Lordship will see what the whole amounts to; that hitherto the *Dutch* Ambassadors have excused themselves from answering, whether they have Instructions to treat with us, upon the very Article they themselves singled out to proceed with us first upon; and next, as to the Matter of it, in case they were to enter upon it, we see but little Likelihood hitherto of obtaining any Thing in it; that the Article of the Fishery is like to be absolutely and universally denied us: Whatever it be they answer us upon the Matter of these Propositions, all we can do is, to represent it to his Majesty for his Pleasure upon it, considering we have not received any Instructions for our Conduct in this new Negotiation, further than what your Lordship was pleased to direct us in your Letter of the 17*th* of *December*, which brought us his Majesty's Answer to the *Spanish* Ambassadors Memorial. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{16}{26}$*th Jan.* 1673-74.

My Lord,

In our last that we had the Honour to write to your Lordship, which was of the $\frac{13}{23}$*th* Instant by the Ordinary, a Duplicate whereof we take Leave here to enclose, we gave your Lordship the best Account we were able of two Conferences that we had had, by the *entremise* of the Mediators, with the *Dutch* Ambassadors: In the last, when we had insisted, by the Favour of the Mediators, and required of them that they would give us a Categorical Answer, whether they would finally adhere to their Project, for referring the whole of the Commerce to Commissioners, or else proceed with us to the adjusting of a present Settlement in the 3 Points, we contend to have provided for in this Treaty; M. *Beverning* excused himself from answering to this Question, or indeed to any Thing else, otherwise than in Writing; which, upon Advice with the Mediators and *French* Ambassadors, hath made us to resolve to write as often as Occasion shall require henceforward, unless his Majesty shall please to command us to the contrary: And this Answer proves to be a Letter to the Mediators, with a Project of 5 or 6 Points in his Majesty's Answer to M. *de Fresno*. That of the Fishery, they offer no Project for, but they do (and they hope his Majesty will) pass it over in Silence: The other is a Letter to us, which is a long Deduction of their Reasons and Reflexions upon the several Articles; a Copy of which Letter to the Mediators, as also that to us, in its Original, was delivered us yesterday at Noon by the Secretary to the Mediation, and we take Leave to send herewith inclosed. This Letter to us we provide to answer, as well and as fast as we can possibly, that they may not lay any Delays at our Door: We have already taken the Advice of

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the *French* Ambaſſadors and the Mediators for our general Meaſures; and we have beſpoke their Reflexions upon it, when it is ready, and before we give it in in Form: For they are ſufficiently convinced, that this is an Artifice levell'd at them, and the whole Alliance, as well as at our Maſter. We therefore take the Boldneſs to make this our humble Addreſs the ſhorter, in that the ſpeeding of our Anſwer to the *Dutch* Ambaſſadors demands our whole Application at this Time: In the Interim, we cannot but humbly impart to your Lordſhip, the great Anxiety we are under, in that we have no News all this while of the Expreſs that we have been ſo long a Time in Hopes of from *England*; for as the Declaration of his Majeſty's Pleaſure upon this new Negotiation of ſix Propoſitions, would be a great Light to us in the ſhaping of that Anſwer; ſo the ſame Expreſs ſhould carry it Home, to ſubmit it to his Majeſty's gracious Pleaſure; however, whether he come or not, we ſhall not fail, as ſoon as we we have put in our Anſwer, to ſend an Expreſs with an Account of it, and our Proceedings upon it, to your Lordſhip. Prince *William*, in his Conference yeſterday with the *French* Ambaſſadors, let us ſee this Elector is vext at the Heart, in that his Cavalry, which was 2000 in M. *de Turenne*'s Army, is upon the ſudden ſent him Home, without Warning to provide for them, he having neither Money to pay them, nor Country free of the Enemy to quarter them in, which will bring them all to deſert their Colours. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{20}{30}$*th Jan.* 1673-74.

MY LORD,

BY our laſt, which was of the $\frac{16}{26}$*th*, we took leave to tranſmit to your Lordſhip, Copies of the Papers we had the Day before received from the *Dutch* Ambaſſadors, through the Hands of the Mediators, upon the Matter of the preſent Negotiation; to wit, a Project of Articles on their Part upon five of the ſix Points, as they pretend to have them adjuſted, ſent incloſed in a Letter to the Mediators, together with another Letter addreſſed directly to us, containing a Deduction, as they call it, of their Reaſons and Reflexions upon the Matter of theſe Articles: We ſaw with what Affectation the *Dutch* Ambaſſadors endeavour to value themſelves to the World, from their great Diligence in forwarding this Affair; and therefore were convinced, no Time was to be loſt in returning an Anſwer to their Papers: Accordingly our Poſt Day of *Friday* the $\frac{16}{26}$*th* being over, we apply'd ourſelves to frame a Paper upon the Plan agreed on the Day before with the *French* Ambaſſadors, and receiv'd their Opinion upon it; we have this Morning ſent it to the Mediators by the Secretary of the Embaſſy, and take leave herewith to incloſe your Lordſhip a Copy of it, moſt humbly beſeeching his Majeſty's Pardon, wherein it may be found weak or imperfect. As to the Matter of it, it was thought beſt to inſiſt principally, that having already entered, at the Choice of the *Dutch* Ambaſſadors themſelves, upon the Article of Commerce in the *Indies*, it could not be thought fair or reaſonable in any Degree for them, after two formal Conferences held with us upon it, to quit that Article without coming to any formal Concluſion upon it, and to bring on at once, as they would by that Project they had ſent us, all our Points of the Propoſitions; which were not only abruptly, and contrary to all Reaſon, to change the Method we

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were already engag'd in, but to throw the Negotiation into a Confusion, by bringing on at once, and together, a Multitude of Points, which it is impossible, after all, to treat or handle otherwise than one by one, which is the Method we are already in, and which therefore we thought we ought principally to insist should be pursued.

For this we conceived, we ought, as on the one Hand, to touch in some Measure upon the Reasons that seem to justify us in our Demand of these three Points relating to the Commerce in the *East-Indies*, &c. which we insist, ought singly to be the Matter of our Debate at present; so on the other Hand, it was not thought fit to say any Thing in this Paper, to the remaining Conditions which the *Dutch* Ambassadors sought in their Letter and Deduction at once to engage us in: Only *en passant* to give a Hint, that we reserved ourselves to speak to those Points as they should happen to come in Order to be debated upon, after this of Commerce should be finished; this was judged, with the Advice of the *French* Ambassadors, should be the principal Scope of our Answer, as to the Matter of it: As to the Way and Manner, it was immediately upon the first View concluded, that we ought not by any Means to write directly to the *Dutch* Ambassadors, but to the Mediators, according to the Stile that has hitherto been used in the Course of this whole Negotiation, taking Notice expresly of this Way of the *Dutch* Ambassadors Writing to us, as an Innovation, differing from what had been usually practised in Negotiations of this Kind, and wholly contrary to what has been hitherto observed among us in this Assembly; considering the Chicaning Humour of the People we have to do with, we apprehend we shall not be long without a Reply to this Answer, which we shall prepare to defend ourselves against, the best we can, upon the Measures we yet have of his Majesty's Mind and Pleasure in the Matter of this new Negotiation; which, as your Lordship is pleased to observe from that Side, we cannot hitherto perceive the *Dutch* have at the Bottom any Mind to transact with us here, but only in their own Defence against his Majesty's Offer, which they found themselves a little pressed with to make the Grimace, while their Aim and Design is indeed to do what they do at *London*.

Friday $\frac{16}{26}$, some Hours after our Dispatch of that Day was gone, arrived Mr. *Howard* with the Honour of your Lordship's Letter of the 5*th* Instant, containing his Majesty's Pleasure to us upon several Points, which we receive with all Humility, and shall take care, by the Grace of God, punctually to govern ourselves by in the several Matters it relates to: As to the two Points that relate to the Part the Crown of *Sweden* shall take in the *Tiers* Party, and the Conduct of that Party with Relation to his Majesty's Demands, we have not of late heard much of what that Party is doing: By what we can learn, the Ministers of those several Princes having agreed upon a Kind of a general Plan or Scheme for that Work, to be proposed to the several Princes that are meant to make that Body, are expecting what will be the Mind of *Sweden* upon it, before they can well go further; only M. *Stradtsman* is preparing, as he tells us, in few Days, to depart for *Berlin*, to try to bring that Elector more openly and expresly into this Party, than yet he appears dispos'd to; in the mean Time, we find, upon the incident of this new Negotiation between us and the *Dutch* Ambassadors, the whole Party, and more particularly the *Swedes* Ambassadors, have turned their Eye wholly upon us; looking, as they tell us, upon this new Incident, as a more likely and hopeful Means than any other, of effecting a general Peace; that is, as they explain their Notion of it, that his Majesty

having

having his Satisfaction from the *Dutch* settled and adjusted in this new Way of particular Negotiation, they consider his Majesty as the most likely, if not indeed the only Instrument, capable, by his Authority and Influence, to dispose and incline; as well his own Allies, as the adverse Party to Reason, whenever the great Business of the Peace shall come to stick upon any of them. This we find them so strongly perswaded in, that they have let fall, as if they the Ministers of the third Party, that is, the *Swedes* Ambassadors, the Ministers of *Bavaria*, *Newburgh* and *Hanover*, have a Mind to make some kind of express Proposition to us upon this Occasion, that is, to desire it may be offer'd to his Majesty, as an humble Proposition on their Part, that he would please to consider, whether it might not be one of the most likely Ways to effect the great Work of the general Peace, if his Majesty would please, so soon as his own Satisfaction and Conditions are settled and agreed upon, between him and the States General, by this new Negotiation now set on Foot here, to joyn himself in such Sort, as he should find fit, to the Crown of *Sweden* in this Matter of a *Tiers* Party; we have had a Hint that such a Proposition they have to make, but as hitherto they have not actually made it. In this or any Thing else of this Kind that shall fall out, as we cannot see how we can well refuse to represent it to his Majesty if they insist upon it; so there is one Thing, that, on the other Hand, we easily judge is our Part to mind them of, when they make any such Overture to us; which is, that being a Thing of that Nature, and having so immediate and considerable a Relation to our Allies, as that would have, we shall let them know, we cannot but immediately communicate the Matter to the *French* Ambassadors and to our other Allies, as we have already in some Measure hinted to them; and we know not, but that that may have been in Part the Reason why we yet hear no further of them in the Thing: but so much we thought it our Duty to intimate to them, at the first Knowledge they gave us of their Design. We have been so pressed to get this Answer to the *Dutch* Ambassadors off our Hands this Morning, that we have not been able to get a translate of it made with that Accurateness that were fit; such a one as the Shortness of Time would allow, we take leave however to inclose, humbly beseeching your Lordship's Pardon, for a more perfect and exact one till the next Ordinary. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{23 \text{ Jan.}}{2 \text{ Feb.}}$ 1673-74.

My Lord,

OUR last that we had the Honour to write to your Lordship, was of the $\frac{20}{30}$*th* by Mr. *Frances*, whom we sent hence Express, for the better Speed and Security of that Dispatch that was to bring your Lordship an Account of the Answer we had made to the Letter of the $\frac{14}{24}$*th January*, which the *Dutch* Ambassadors had written and addressed to us directly and immediately, we find that the addressing our Answer to the Mediators, and not to them, hath proved to be a Complement not unacceptable: For M. *Sparr* did tell us, that they, the Mediators, must owe it to us, (he was pleased to phrase it, to our Prudence and Respects to them) that they are not rendered much beneath their proper Figure in this new Negotiation; that is, as he explain'd himself, not made meer Letter Carriers between us and the *Dutch* Ambassadors.

YESTERDAY at Noon, the Mediators sent us a Summons to meet the *Dutch* Ambassadors at three, at their House. Count *Tott* seemed to us to be in some Embarrass, when he was entring into the Business; he began with telling us, that they, the Mediators, had spoken with the *Dutch* Ambassadors the Day before, and more fully yesterday, before our Conference, for their Answer to that we had in our Letter insisted upon, *viz.* Whether they would joyn with us in adjusting the Points of Commerce, before entring upon any other Matter or not? That they had found the *Dutch* Ambassadors now more in earnest than formerly, to make up the Peace with *England*; and that M. *Beverning* had expressed his Wishes for it, in Regard he thought an Accommodation with *England* was the only Way now left, to bring on the general Peace: The Count further told us, that they, the *Dutch* Ambassadors, would have given in an Answer in Writing to our Letter, but that the Mediators foreseeing they would not answer that Question, which we in that Letter had put to them, without putting to us another captious Question of their own, they the Mediators had perswaded them to this Way of doing it by Conference: The Count added, that they the Mediators had (to serve us in our Way) pressed them to answer our Question, but that M. *Beverning* answer'd, he saw clearly enough what that meant, and desired to be excused for not answering our Question; that they would then declare themselves upon the Point of Commerce, when they did know what we would do upon the other Articles, which they had lately given in in Form to the Mediators. The Count said, it was his Opinion, that as we would gladly have wherewithal to accuse to the Parliament, so they lay at Catch for some handle to charge us with Want of Forwardness, and with Delays in this Negotiation; that which the *Dutch* Ambassadors offer'd, he said, was to go upon the other Points in his Majesty's Answer, in Order to gain Time; for they, he said, had already written to their Superiors, and they might e're long send them some Directions upon this very Point of Commerce; in the mean while, that to enter upon the other Points were to gain Time, since it is possible, those Points, as well as this, may administer an Occasion of Writing Home for further Orders; and that we may have Cause given us upon some of them, to write into *England* for Orders likewise, and that those Intervals will be wholly lost, if nothing be done while each Party expects the Resolutions and Orders of our respective Masters, that it hath been his Majesty's Method, and the Method of his Allies, to give in their Demands all at once; and that the *Dutch* Ambassadors offering, as they do, to enter upon the whole, would appear to the World, as he said, to have greater Propensions towards the Peace, than we should appear to have, if we should keep ourselves close to this Point, and refuse to pass along from Article to Article, when they shall invite us to it, it being (as the Count would have it) very reasonable thus to proceed, and take several Points in Hand at one Time, since the Difficulties that would arise upon each Article, would by this Means be timely discover'd, and be laid (as it were all in one View) before our respective Master's, in Order to have their Directions thereupon, and so to come sooner to a Conclusion of the whole, than if we should expect a final Adjustment and Resolution upon each of them, one by one.

COUNT *Tott* having with some Variations delivered himself to this Effect, we took leave to observe to him and his Collegues, that we having written to the *Dutch* Ambassadors, and made it our Request, that they would come to a Resolution, whether or no they would agree

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with us to come to an adjusting of our Project upon the Commerce, before we enter'd upon other Matters? And this being now the single Point, in which a Resolution, at leastwise some Reply was expected, we asked their Excellencies, whether the Sum of what the *Dutch* Ambassadors had delivered to their Excellencies, as their Answer upon this Point, was not, that they (the *Dutch* Ambassadors) did desire we should pass to another Article to gain Time, and leave this of Commerce without further debating, much less adjusting it for the present? C. *Tott* looking upon his Collegues, said: — *Ouy je croy que ouy*; whereupon we took Leave to observe to them, there was a great Difference between the rejecting of a Point (such as this of the Commerce was) in the gross, which we thought was imply'd in the Answer which the *Dutch* Ambassadors made upon our Question, and their differing with us (not in the whole Thing, but) in the adjusting and wording of some Circumstances: That, for ought we could perceive by this Conference, and other former Conversations with their Excellencies, the *Dutch* Ambassadors had own'd, in Terms express enough, (tho' their Excellencies had imparted the Thing no otherwise than in Confidence) that they, the *Dutch* Ambassadors, had no Instructions to come to the adjusting of the Point of Commerce with us, and that indeed they did not expect any from their Superiors; that in this Case it would be Impertinency and Loss of Time for us, to enter upon other Points; when, according to our Instructions, we were to insist, not only finally, but principally, upon this of Commerce, it being of Importance to the Weal of so considerable a Part of his Majesty's Subjects; but that in case we could have any Assurance of settling the Substance of this Point, we should not refuse to treat upon some other, while fuller Instructions were expected for the adjusting and wording of some Circumstances in it.

Here Count *Tott* told us, the whole Secret of the Affair was, as he had, he said, intimated to us in Confidence several Times before; that something (not telling us what, but still using the Word *quelque chose*, and no other) the *Dutch* would do in the Point of Commerce, if they might be sure his Majesty would desist wholly from demanding any Article or Mention of the Fishery. This gave us farther Occasion to tell the Mediators, that we saw plainly enough what the Answer of the *Dutch* Ambassadors was, tho' they would not suffer it to be delivered us expresly and formally as their Answer; that it was a flat Refusal to come to any present Adjustment in the Point of Commerce: Hereupon the Count was pleas'd to say, the Truth was, the *Dutch* Ambassadors were neither certain nor clear (as he could have wished) in their Answer below, and therefore that they, the Mediators, would go down to them once more, and see whether they would own the Answer as we had apprehended and repeated it. Count *Tott* returning after some Space with a Writing in his Hand, said, he had, for the Help of his own Memory, set down in Writing those Words, which the *Dutch* Ambassadors desired might be taken for their Answer at this Time, but not for an Answer in Writing; and then read them so leisurely, that we took them in Writing from his Mouth; he verified our Transcript, when it was read over to him, the Words were these: — *Messieurs les Ambassadors d' Holland declarent, que si ces Excellencies pour gagner un temps si precieux veulent entrer en matiere, & s'expliquer sur tous les points qu'ils s'ont persuadez qu' estans d'acord sur le Reste, Messieurs les Estatz fairont tout à qui sera equitable, pourchasser la paix, qu'ils souhaittent avec tant d'ardeur, ne s'accroche pas sur le point du Reglement de Commerce hors de l' Europe.* This, My Lord, was the Answer, to which we made

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no Manner of Reply at that Time, but desired Leave to consider of it; telling them, that as soon as our Dispatch by this Day's Ordinary was over, we would wait upon them, the Mediators, with our Reflexions and Resolutions upon it. The Count let fall to us, that as they, the *Dutch* Ambassadors, liked not any Form of Answer, wherein he, the Count, essay'd to speak their Sense, (for he offer'd it to them, he said, three several Ways) so they were very nice in the wording of this they gave him; instead of the Word *qu'ils sont persuadez*, the Count offer'd to set down *qu'ils ont asseurés*, as being a little more home and satisfactory to us; but they would not agree to it by any Means.

THE Conference being thus over, our Applications have been since to consider with ourselves, and advise with our Friends, what Answer to give in upon this Paper; it being very obvious upon the whole Matter, that the *Dutch* intend to postpone our Project upon the Commerce, to all the rest of the Articles; nay, that they did not do that little they pretended to do in it, *qu'estans d'accord du reste*, till they have their own Terms in every Thing else; that they are irreconcileable to all Mention of the Fishery in this Treaty; that they would fain catch at some Advantage, or at least Pretext, whereby they may recommend themselves to the Parliament, as being in good earnest, and very pressing to come to an Accommodation with our Master.

WE hear no more from M. *Stradtsman*, of what we hinted to your Lordship in our last, nor any thing at all of the *Tiers*-Party; he is indeed at this Time at *Dusseldorp*, so that we have not been able to deliver him his Majesty's Letter to the Duke his Master. The *French* Ambassadors told us, they had acquainted their Master of our separate Negotiation now on Foot, and also that they, for their Parts, had made no Difficulty to give us their Reflexions upon all Occurrences, with the same Concern as if the Affairs of their own Master had been on Foot, in Conjunction with ours; that upon this Notice, the King had given them not only his Approbation for what they had done already, but his Encouragement to proceed with the same Application as in his own Affairs, and with the same Confidence, as was enjoyn'd them in their coming hither. We are, *&c.*

To the Earl of *Arlington.*

Cologn 26 Jan./5 Feb. 1673-74.

MY LORD,

OUR last, which was of the 23/2 *d*, by the Ordinary of that Day, a Copy of which goes here inclosed, was to give your Lordship an Account of a further Conference we had the Day before with the *Dutch* Ambassadors, at the Mediators House, upon the Article of Commerce in the *East-Indies*, and of the Declaration we had with much ado prevailed with the *Dutch* Ambassadors to give us, as to their coming to a present Adjustment of that Article, or not, in the general, as to the Substance of it, before we passed to the rest of the Propositions; which Point, considering the shuffling, *chicaning* Humour of those we have to deal with, we thought was the best Ground we could choose to entrench ourselves upon; and therefore we resolved, with the Opinion of the *French* Ambassadors, to keep the *Dutch* a little close to it; having come to learn underhand by the Mediators, that

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most certainly the *Dutch* Ambassadors would not own to have any Instructions from their Superiors, to agree to the Adjustment of that Point of Commerce in this Treaty; and yet were afraid expresly to declare they had not any Instructions, for the Disadvantage they saw it would be of to them towards the World, and particularly, as they fear, towards the Parliament in *England*, if it should appear that the States have left them all this while without any Instructions off or on, in a Point that the States knew above 3 Months since, his Majesty would finally insist upon; and which they themselves had, at our first entring upon this new Negotiation, made Choice of, for the Point they would first proceed with us on: We saw plainly, by their shuffling and doubling, how much this Point did embarrass them, and therefore it was thought best, upon Advice with the *French* Ambassadors, in the Answer we should make to their last Declaration, to insist principally, that they should agree to the Adjustment of this Point of Commerce in the general, as to the Substance of it, now in this Treaty, before we passed to the other Points; considering it was one of those six Points, into which his Majesty had been pleased to contract all his Demands; and so was to be looked upon as a Point the King would finally insist upon; that they themselves had chosen this Point to go first upon, and having accordingly had so many several Conferences with them upon it, we should conclude, that we could not think it reasonable to leave it universally in Suspence, and unagreed to, as to the whole, without coming to any Conclusion of, or in the Thing: This was indeed the best Answer could be returned to that loose, shuffling Declaration they had made; and then for Answer to the wonderful Care they pretend to have to gain Time in this Matter, we thought it would do well to conclude with an Offer, that in case they would agree to the adjusting of an Article in this Treaty, to the Purpose and Effect of that we had offer'd in the Substance of it, we would be willing, in the mean time, till they should receive Instructions as to Circumstances, and the wording of it, to pass on to the other Articles: And according to this Plan we framed our Answer, which we have this Morning delivered in to the Mediators; *First*, verbally, and afterwards leaving it them in Writing, as it were for the Help of their Memories, as the *Dutch* have affected to do their Declaration. What Effect it will have yet, we know not: The Mediators have promised to give us an Account of it in a Day or two; but by all we can yet judge, they are in no Disposition to give his Majesty, at the Bottom, any real Satisfaction in this Point of Commerce in the *Indies*, but will insist to have that sent with the rest relating to the Reglement of Trade to Commissioners: And yet we find they are afraid peremptorily to declare, they will not agree to adjust it here, or so much as to say they want Instructions from their Superiors, to treat with us for the adjusting it or not in this Treaty, for the Disadvantage they foresee it might do them with our People in *England*, to refuse so much as to treat with us upon the settling or not settling this Point in the present Treaty.

On *Friday*, after the Post was gone, M. *le C. Tott* visited us, (and own'd it to be in Form) to acquaint us, that M. *Sparr* had just then received his Orders to go Ambassador for *England*; he told us, the general Points of his Instructions were: 1. To assure his Majesty of the Firmness of the Crown of *Sweden* to the present Alliance, and to confirm to him, that they will not be wanting in any Thing they had to do for the common Cause. 2. In the next Place, to offer any Service to his Majesty, that the Credit and Character of this Ambassador is

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able to do him in this Juncture; wherein, it seems, they, the *Swedes*, do promise to themselves some Success: The Count taking it for granted, that as, on the one Side, our Alliance with *France* labours under the deepest Prejudice possible in the Opinion of the Parliament and the People; so, on the other Side, that the Sincerity and Usefulness of that Friendship, which *Sweden* hath for *England*, may meet with the Consideration and Respect due to it, even in the Councils and Resolutions of the Parliament, as it will be sure to do in the Esteem of the King; The Count told us, they, the Mediators, had Power to add here to M. *Sparr's* Instructions upon the Place, and would be glad to receive any Hints from us, that might be for his Majesty's Service; and therefore desired us to think of it, that they and we might take Time to discourse of this Subject together before he went.

This Overture gave us Occasion to speak our Joy, that a Minister so able, and a Person so acceptable to the King our Master, as M. *Sparr* is, was to appear in our Court in such a Juncture; and to wish he may not meet with any Thing that should delay or retard his Journey, in Regard those good Offices which were intended by this Embassy to be done to his Majesty, by stating rightly the Judgments of his Subjects in Reference to the present War, would, in all Probability, be so much the more efficacious, as they should happen to be the more early in this present Juncture, that the Parliament was enter'd upon Deliberations thereto relating. Here Count *Tott*, with the same Concern that he hath of late evidenced in all his Conversations with us, (that *Sweden* should be taken into all our Councils and Resolutions for a Peace) fell into a Discourse of the last Treaty with *France*, observing two Things principally upon it; the one was, that they in *Sweden* would never have entred into this Treaty with *France*, but that *England* was to be a Part in it; nay, that *England* perswaded and brought them over to it; and that therefore it would be very hard, if *England* should now clap up a separate Peace, and leave the *Swedes* expos'd to the *Dutch*, whom they are not able to deal with; and against whom they would not have thought of entring into League, had they not had all the Assurances possible, that *England* would have stood by them to the last. The other Thing was, that if his Majesty, having no Supplies from the Parliament, should be forced to some hard Terms, and to Condescensions, not otherwise suitable to his Greatness, and the Tenor of his Alliance; they, the *Swedes*, desired to know, what Measures he resolved to take, in order to get out of a War, which would be highly inconvenient for him to carry on without the Concurrence of his People; *Sweden* being resolved, as he said, to venture in the same Bottom with the King our Master, which would give them a good Occasion to extricate themselves out of the present Difficulties, and to joyn their Instances with his Majesty, in importuning *France* to accept of a just and an honourable Peace: Nay further, that *Sweden*, for his Majesty's more decent Retreat, would court his Majesty to enter into the *Tiers-Party* with them, which is now forming; that by this Means his Force may be by all the World consider'd, and employ'd against that Party which should refuse a Peace.

Next Morning we made our Gratulations to M. *Sparr*, whose Discourse, upon Occasion of his Embassy, tended much to the same Effect, making it his special Request, to know from us, wherein, and in what Manner of Way he might shew his Zeal for our Master's Service. One Thing he added, that his Orders were to pass through *Holland*, and to deliver a Message about the general Cessation of Arms; which, we perceive,

ceive, he is to propoſe and inſiſt upon at the *Hague*, but not to ſtay for an Anſwer, but to leave the taking of that to M. *Appleboom*, their Miniſter there: He explained himſelf to the ſame Effect, but ſomewhat more diſtinctly than Count *Tott*; that his Buſineſs was, firſt, to ſerve his Majeſty's Intereſt in any Way he ſhould find himſelf capable, and ſhould be ſuggeſted him by his Majeſty, or his Miniſters: And ſecondly, to obſerve what Ply and Byaſs our Affairs did take for next Summer, that *Sweden* may be ſure not to take different Meaſures from *England*, no other but the ſame with *England* being ſafe for them, ſince they have no leſs need of Peace than *England* hath; and that they are reſolved to do what they can to avoid plunging themſelves into an immortal War in the Quarrel of *France*.

Yesterday the Mediators, after they had (all three) given us Audience upon our Anſwer to the *Dutch* Ambaſſadors; which Anſwer, with the tranſlate, we humbly take Leave here to incloſe; Count *Tott* fell upon this ſame Subject again, and it was more viſible by his Diſcourſe at this Time, than we had obſerved it at any Time, that they have a real great Apprehenſion upon them, that our ſeparate Negotiation with *Holland* goes on ſo faſt, and they dread a Concluſion in it without *France* or *Sweden*; his Diſcourſe was, that *Sweden* hath its biggeſt Intereſts, to have one of the two great Maritime Puiſſances ſtill for its faſt Friend; ſince the Liberty and Security of their Trade in the *Baltick* cannot otherwiſe ſubſiſt; that they had made Choice of *England*, and ſtuck to it with all Sincerity and Faithfulneſs hitherto; that if after a Provocation, ſuch as *Sweden*, by entring into this League with *France*, hath now given to *Holland*, *England* ſhould leave the former to the Mercy of the latter; they the *Dutch* would ſtop and ruin the Trade of the *Baltick* Sea, and joyn with thoſe Neighbours that have an Emulation againſt the *Swedes*, and play them (as he term'd it) a thouſand Tricks, which they ſhould not be able to avoid or remedy: Therefore that *England* was bound to ſee *Sweden*, as well as it ſelf, get with Safety and Honour out of this War. He added, there was no Need, it was true, of minding his Majeſty, that by his Engagements, he was no leſs in ſtrict Bonds of Friendſhip and Alliance to *Sweden*, than he was to *France*, only he ſaid, it might, with all due Reſpect to his Majeſty, be truly added, that in one Reſpect his Engagements with *Sweden* were the greater and the ſtricter of the two, in that *Sweden* did not give into the Inclinations of *France*, nor was prevailed upon by its Arguments to enter into this Alliance; *Sweden* yielded to the Authority alone of the King our Maſter, and he was the ſole Author of their being engaged, as they were, with *France*: He added further, that he and all *Sweden* were infinitely ſatisfied of his Majeſty's Firmneſs to this Alliance, his Majeſty having already given thoſe Proofs of it, that there was no further Doubt to be made, but that he would go on, as he hath begun, with all the Exactneſs and Generoſity poſſible. But, ſaid he, if the Parliament ſhould be preſſing and vehement for a preſent Accommodation with *Holland*, and not have that Regard they ought to his Majeſty's Engagements abroad, particularly to that with *Sweden*, Monſieur *Sparr* would deſerve, in that Caſe, he ſaid, to be heard in the Behalf of *Sweden*, and he might with all Truth and Reaſon preſs, that it cannot be leſs than *Manquer de parole*, (he uſing that Word more than once, deſired the Freedom of it might be pardoned him) if *England* do not take care to put *Sweden à Couvert*, and in the ſame Degree of Safety with its ſelf, it having been never the meaning of *Sweden*, to continue longer, or engage further than *England* ſhould find it ſelf obliged to do. He added, that *Sweden* had

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as little in its Thoughts, as *England* hath, to follow the *Caprices* of *France*, (which was a Word he used with some seeming Bitterness, and not without Mention of the *Lorain* Passports) that *Sweden* had no Ambition to satisfy of its own, nor would it be made subservient to any others; that *Sweden* valued it self upon the Constancy and Sincerity of its Friendships; that it hath no Interest capable to raise any the least Jealousy in *England* of its Councils or Designs, much less to divide the two Nations, or to beget an Averseness in the one against the other; witness (he said) those two main Interests of Religion and Civil Liberties, which, whatever Jealousy *France* may give the *English*, said he, in Reference to the one or the other, yet it was impossible to raise any Pretext to fear either from *Sweden*. The Count having thus fallen upon the Mention of Religion, was pleased to enlarge upon the Advantages *England* might do itself, in owning a Concern for, and Interest in the reformed Part of the World, saying, (with a more than ordinary Emphasis, and that often repeated) that how far soever *England* would engage upon the Account of supporting and protecting the Protestant Religion, *Sweden* would heartily and thoroughly joyn with it in the Engagement; which, said he, will give the greatest Reputation, and the most real Advantages that any Interest can give, both to one and the other Crown. Having done with this Subject, he return'd again to that of his Concern and Wishes, that the Parliament do not press his Majesty to any sudden Resolution, that shall engage him in a separate Peace. We (as often as he gave us leave to put in a Word) still telling him, we were sure the Parliament would never press his Majesty to any Thing dishonourable, or not suiting with his Engagements to his Allies; and if they did, it would be altogether in vain; his Majesty being immoveable from his Friends, and tender with all the Exactness possible of his Engagements abroad: but he still seemed afraid of the Power of *Holland*, saying, it would be against Reason, to expect that *Sweden* should declare against *Holland*, in Execution of their Treaty with *France*, in Case we should withdraw ourselves from the present Alliance; which he added, if we did, we must forthwith engage in another War, in Aid of the *Swedes* against the *Dutch*, or else it would be, said he, another *Manquer de parole*; concluding with an odd Word, that discovered some deeper Impressions in him than we see Cause for, saying, that hitherto he had been a very good *Englishman*; but if the Parliament should bring the King to a separate Peace, and that *Sweden* were left in the same Bottom with *France*, and at the Mercy of a Neighbour so powerful at Sea, and so provoked as *Holland* was, he would, if it were not too late, be a very good *Hollander*. This Conversation ended with a joynt and earnest Desire of the Mediators, that we would write, with all the Speed, and all the Ways possible, into *England*, that M. *Sparr* is to set out hence within three Days at furthest on his Journey; that if his Presence may be of any Service to his Majesty, those Councils in Parliament that shall be tending to a Separation in the present Alliance may be, if possible, held at some Bay till his Arrival; they entreated us to write forthwith, offering us the Conveniency of their Pacquet by the Way of *Holland*, to Monsieur *Leyenbergh*'s Hand, in which we could not choose but comply with them; their Professions of Service and Zeal for his Majesty being so very solemn upon this Occasion.

As we were going to this Audience, a Gentleman from Monsieur *Visscher*, who hath been *incognito* in this Town for five or six Months, came to notify us of his appearing as Ambassador extraordinary of his

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Imperial Majesty, with the usual Complements; this Day we intend to give him our Visit. M. *de Lysola* is not yet come back from *Liege*. We are, *&c.*

To the Earl of *Arlington*.

Cologn 30 Jan. / 9 Feb. 1673-74.

My Lord,

OUR last that we presumed to trouble your Lordship withal, was of the *5th* Current, this Style: One Duplicate whereof goes here inclosed; and we humbly take leave to address another Duplicate to your Lordship, by the Way of *Holland*, under the Mediators Cover to M. *de Leyenbergh*, it being their Request unto us we would make use of that Conveyance, in Regard that last Dispatch of ours contain'd in it an Account of what the Mediators had told us here of the Motives and the Scope of M. *Sparr's* Embassy into *England*.

On *Wednesday* at ten in the Morning, arrived M. *Barré* the Express here, not having been able to reach this Place sooner than the *9th* Day after his Departure from *London*, by Reason, it seems, of contrary Winds at Sea. He brought us the Honour of your Lordship's of the *19th*, O. S. together with other Advices which put us to very great Anxieties for your Lordship, in Relation to what was then depending before the House of Commons; but yesterday the Mediators relieved us in a good Measure, in giving us Part of that News they had had from the *Dutch* Ambassadors; (who have most commonly notice of what passes in *England*, much sooner than we have) that your Lordship had come off with great Reputation and Applause; and that the House of Commons had declared itself satisfied with the Defence your Lordship had made; and that they had resolved to desist from further prosecuting any Inquisition relating to your Lordship: As we have no Reason to doubt of this News, so we have infinite Cause to bless Almighty God, that hath made your Innocence, your Honour, your Integrity, and your Merit, (My Lord) to shine so bright after this Eclipse, and to receive a further Lustre from the Endeavours of some to tarnish and obscure them: And we pray to God, that nothing of Prejudice or Passion may mingle with the Proceedings of that great Body; but that the treating of his Majesty's Ministers and his great Affairs, may be with a Moderation and Discerning suitable to that Figure, and to those Influences, which the Monarchy will have in the present Juncture, while his Majesty's Parliament move regularly and vigorously in their proper Sphere; and 'tis with the deepest Grief of Heart we say it, My Lord, since we know not how to conceal it from your Lordship, that we have observed the *Swedish* Ambassadors, (who have been always used to value themselves very much upon the Advantages of being allied with *England*) to let themselves into very bitter and odious Reflexions upon the Government before this News came of your Lordship's being absolved (as the Phrase is here) by the Parliament, not sticking to tell us to our Faces, that our Leagues abroad, and our Ministers at Home, were subjected to so much of Agitation and Uncertainty, notwithstanding all that his Majesty can do for the due observing of his Leagues, and the protecting of his Servants, that all Nations will henceforward *recherche* the Friendship of the *Dutch*, whose foreign Alliances once made, are never subject to such impetuous

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Ways of examining them, and breaking off from them, as they fear may happen in the present Alliance we have with *Sweden*.

YESTERDAY, as we were paying our Adieus to M. *Sparr*, Count *Tott* took Occasion to repeat what he had so often told us before, as our late Dispatches inform your Lordship, of the wrong we should do to *Sweden*, and the Dishonour that would redound to ourselves, if we should now clap up a separate Peace with *Holland*, and leave them engaged in a Quarrel, into which they had never entered but upon our Sollicitation: We saw plainly, he took Occasion to enter into this Discourse, and to proceed in it with much Fervour, from the *French* Ambassadors being present; and he added briskly enough, that what Causes soever we might have to be dissatisfied with *France*, (as their not having done their Part at Sea, or their intermeddling with our Affairs within Doors) he was very sure we had no Cause to complain of Want of Sincerity, or Want of Performance in *Sweden*: And therefore, that it would be a barbarous Thing in us, to leave the *Swedes* and their Trade at the Mercy of the *Dutch*, and to break off from their Alliance now, that they are drawing in other Princes into a Conjunction with them, for the better Service of our Master and the common Cause; it being certain, he said, they would have 50000 Men in the Field, to oppose the Emperor next Spring; he closed his Discourse with turning himself from us to the *French* Ambassadors, and telling them, that if they pretended to make this War a War of Religion, or hereafter should make any War upon that Account, they, the *Swedes*, must be excused, they would, and must be against them; and they would, he said, readily take Part with *England* in such a War against *France*; tho' in all other Cases, they would be as zealous and faithful as ever in their Alliance with *France*.

To that Part of this Discourse which concerned us, our Answer was, that *Sweden* had not had hitherto any the least Ground or Colour to complain of *England*; that we were sure our Master would take Care, it should have as little Cause to be dissatisfied for the future; and that we hoped M. *Sparr*, as soon as he should arrive in *England*, should have those Evidences from his Majesty himself, that the Doubts he, the Count, now entertains, will be quite effaced, with the first Letters he shall have received from M. *Sparr* out of *England*.

THE *French* Ambassadors, to the Point of a War for Religion, said, they were assured this War now on Foot was none, nor did they believe their Master did think of engaging in any such War at any Time hereafter.

THE Count further told us, they, the Mediators, had been with the *Dutch* Ambassadors that Morning, and had taken off M. *Isbrandts* from a Resolution he was in of going into *Holland*, (he having had Leave from his Province to return Home for some Time) after that they had represented to him the Course of the Negotiation (for want of a *Quorum* on their Part, none but M. *Beverning* being left on the Place) would be absolutely interrupted; that the *Dutch* Ambassadors had requested them, the Mediators, to try if we could be perswaded, without further Writing on either Side, to go off from the Question we insisted on, for their Resolution in this Point of Commerce, *viz.* whether they would grant us the three Points of Reglement couched in our Project, or at least (as it was in our latter Writing) accord to us the Gross and the Substance of them: The *Dutch* Ambassadors telling the Mediators withal, that in case we did insist to have an Answer to our Letter, they had an Answer ready, and would give it in Writing; but their Desire

Desire was, we would wave that Question upon the Commerce, and explain ourselves, in saying what it is that we pretend to in the Fishery, in the Flag, and in other Points: The great Reason pretended of their Desire not to dwell upon the Point of Commerce, but to pass to other Points, and to the Discovery of our utmost Demands in them, was, that they might inform their Superiors all under one, upon what Terms the Peace may be had; and that knowing what the Peace in the gross would amount to, they might offer the more in some of the Points, that they might have the other settled upon easier Terms. This Proposition being made to us in the Presence of the *French* Ambassadors, they were pleased to deliver their Opinion upon it, as soon as they heard it proposed; the Request, they said, was captious; the *Dutch* Ambassadors found, that they had taken wrong Measures in entring first upon the sole Point of Commerce, and in choosing it to begin this Negotiation withal; for the *Dutch* Ambassadors find, (say the *French*) it will be a very implausible Thing in the World, for them to break off, and wholly to refuse the *English* a Regulation so natural and so necessary; whereas if they can draw the *English* Ambassadors into the Point of the Fishery, they will have the less Difficulty to break with them upon, that being a Point (as M. *Courtin* expressed it) that the Neighbour Nations favour not; the *Dutch* having the *Intercursus magnus*, and a long, quiet Possession, to plead for their present Enjoyment; besides that, they have been so fortunate in all their Treaties, that they have hitherto avoided the Mention of it in any with the Crown of *England*: So that the *English* Ambassadors, said he, having two Writings, wherein they have given their Reasons, why they cannot leave this Point of Commerce in the utmost Uncertainty, till after that the other Points shall be adjusted, as the *Dutch* Ambassadors would have them do, and having given an Account to the King their Master, that they had intrench'd themselves in this Ground, and submitted their Writings and Reasons to his Majesty, they, the *English* Ambassadors, said he, ought in Duty and Prudence to expect the King their Master's Pleasure upon the whole Matter, before they quit the Advantage they are now possessed of, and put themselves into that Method, which their Adversaries would not so earnestly press for, but that their so doing will give them, the *Dutch* Ambassadors, the Opportunity of recovering the Ground they have lost, by the false Step they have made, in being themselves the Authors of singling out this Point to begin withal. This was the Judgment of the *French* Ambassadors, but Count *Tott* was of another Opinion, and he would have the Point of the Fishery, and that of the Flag, and all the other Points, advanced and laid before them: His Reason was, the *Dutch* Ambassadors will be sure to refuse the Point of the Fishery *nettement*, and that Refusal may give the Parliament Occasion to resent their Obstinacy: We, for our Parts, desired some Time to consider, before we would give in our Answer to this Proposition of the Mediators, for we thought the Opinion both of the one and the other, was to be weighed by us with all Caution: The *French* Ambassadors having an Interest, that the *Dutch* Ambassadors and we continue at a Distance, and enter not into Matter upon the Merits of the Six Propositions, which may bring us to those Terms which they would not be well pleased to see: And the Mediators, on the other Side, affecting very much to be possessed of all our Points and Matters in Controversy, upon a Supposition, that when they are so possessed, it will be in their Power to manage us from clapping up this separate Peace, which they declaim against; and it would prevent the treating

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and concluding of this Affair (which they are exceedingly afraid of) in *London*, without their *entremise* and Mediation.

WE therefore reflecting on the one Side, that this Overture from the *Dutch* Ambassadors is very unsincere and captious, and that they aim not at any Accommodation with us, unless they may have the Reglement of Commerce wholly put off to Commissioners, the Point of the Fishery pass'd over in Silence, and the Article of the Flag adjusted in their own Terms (which we took Leave to send your Lordship in our Dispatch by Mr. *Carleton*): And that, on the other Side, we see by your Lordship's last Letter, how intent his Majesty's Thoughts and Desires are, to approve himself to the World to seek this Peace in earnest, and to conclude these Six Points with the soonest possible, cannot think of a better Answer to the Mediators Proposition of yesterday, than to tell them, as we intend this Afternoon, *first*, That we cannot proceed to the adjusting or wording of the other Points, till we be either assured of something in the gross, and that the Substance of our Project upon the Commerce be accorded; or else, that his Majesty, from whom we hope to have his gracious Directions for our further Government in this Point, (this being now the 11*th* Day since the Departure of our Courier, with an Account of our Answer to the *Dutch* Ambassadors Letter) shall please to order us to depart from that Method and Resolution: In the *second* Place, That we know not of any Explanation that is necessary (which the *Dutch* Ambassadors seem to desire from us) in the Article of the Fishery, or of *Surinam*, which are his Majesty's two remaining Demands: For as to the Fishery, we pretend to no more in the Article we are ready to give in, than is in express Words comprehended in his Majesty's Proposition to M. *del Fresno*, and that the Affair of *Surinam* is no more but the due Execution of an Article of the Treaty of *Breda*: That if the *Dutch* Ambassadors will but assure the Mediators in Confidence, that they will accord to us the gross of our Project for the Regulation of Commerce, we will (even before we have any Answer out of *England* to our last Dispatches, which we hope to have in 7 or 8 Days Time at furthest) go upon the Article of the Fishery, to couch it in Form: And if we should be so unfortunate, as that the *Dutch* Ambassadors should not be sufficiently instructed to word that Article, they assuring the Mediators in Confidence, that the gross of that Article of the Fishery, as it lies in his Majesty's Answer to M. *del Fresno*, will be accorded, we shall pass on with them to the adjusting and wording of any other Article, such as they shall think fit.

THUS we hope, MY LORD, to keep Ground in the Point of Commerce, which the very Partizans of *Holland*, such as the Emperor's Ambassador M. *Fischer*, and the Prince of *Baden*, and others, cannot but acknowledge, they (for their Parts) see nothing that is to be opposed to the Equity of the Thing, or to our insisting for an Answer before we go on any further; and yet not to seem difficult or wanting in accommodating ourselves to any Expedient, to prevent the Loss of Time, and to give all the Dispatch and Furtherance that in us lies to our present Negotiation: Besides that, we thought it our Duty, for the answering, as far as lies in us, the Expectation of his Majesty, intimated to us in your Lordship's last Letter, to endeavour to draw from the *Dutch* Ambassadors some express Declaration, whether they will accord any thing or nothing in the Point of the Fishery? And if any thing, what it is, and how? For that his Majesty having it before him, may come to his own Resolution; and if nothing at all, (which is that we most fear) his Majesty may have it in his Power to make

what Use of it he sees Cause. Yet we must confess to your Lordship, we do keep off as much as we can from coming to the Article of the Flag, till we do get the *Dutch* Ambassadors (if possible) to speak upon the Point of the Fishery: For we must beg your Lordship's Pardon, if we say, that we foresee, that if the *Dutch* have the two Points of the Flag and the Fishery entire before them, to accept or refuse them in the Terms they are now to be offer'd, they will not only refuse that of the Flag, as having in it an Extension of the *Maria Britannica*, possibly beyond our ancient Pretensions, but will add Insolencies to their Refusal; and will, with odious Insinuations, call the Neighbour Princes to bear witness, they do not refuse the one or the other Article so much for their own Sakes, as to oppose a new Dominion of the Sea, that will be, as they will pretend, more prejudicial to the Rights of Neighbour Princes, than to them. However, the Apprehension of this shall not discourage us in the least from advancing (in due Time and Place) the Article of the Flag, as now it is; only we hope, this Method will somewhat abate the Envy and the Aggerations they will be sure to bring upon his Majesty's Demands on this Occasion.

We hope, My Lord, we understand fully what his Majesty's Pleasure is, as to our Government in this Juncture; it is, as we humbly conceive, that, on the one Side, we should not fail to do any Thing in our Power that may bring us to close the soonest that can be possibly with the *Dutch*, upon the Six Points in his Majesty's Answer to the *Spanish* Ambassador, it being of infinite Importance to his Majesty, to bring this Negotiation, as far as concerns himself, to a Period: On the other Side, that we should finally insist upon a present Reglement in the Commerce, according to our Project, consisting of three Points already given in, as also upon an Acknowledgment, by Article in Form, of his Majesty's Right in the Fishery, to the Effect in his Majesty's said Answer. It seems to us (under Correction), that his Majesty takes it for granted, that the *Dutch* will come to an Acknowledgment of his Majesty's Right, even in an Article, but that they will contend to have it much qualified, and that they will agree to something of present Settlement in the Commerce, which we wish heartily may prove so in the Event. All that we can perceive hitherto of their Disposition is, *First*, That they are resolved not to make any Acknowledgment in any Terms about the Fishing: In the next Place, that they will not declare they will come to any present Regulation in the Commerce, till they be first assured, that nothing will be required of them in the Fishery, and do see the utmost that will be demanded of them in the other Points. Therefore we conceive it our Duty, to persist unmoveable in these two Points, till we have the Honour of knowing his Majesty's further Pleasure; for we conceive it would be a Disservice to his Majesty, to leave these two Points of greatest Moment in Suspence, and at an Uncertainty, till the very last, and to proceed in the interim, to the adjusting of the others, that are not to be doubted of; for the *Dutch* would have thereby the Advantage of pretending they had agreed to all that his Majesty asked of them, (especially to the paying of a great Sum of Money, and the restoring of a considerable Place, their ancient *Demain*, as they call it) and that his Majesty refuses the Peace, and breaks upon a Point or two: That they, the *Dutch*, will be sure in this case to dress in Colours of their own, and with their usual Artifices. M. *Sparr* does not set out this Day as was expected; but 'tis thought he will embark to Morrow Morning upon the *Rhine* without fail. We are, &c.

To

To his Excellency Sir *Leoline Jenkins.*

The Proceedings of Parliament referr'd to in the foregoing Letter.

January 14. 1673-74.

HONOURABLE SIR,

I Cannot for Want of Time make any particular Recital or Connection of what his Grace the Duke of *Buckingham*, being called again into the Houſe of Commons, there ſpoke; though his Deportment was much more even, and his Diſcourſe much better connected than before: But the chief Points were, the great Hand that he had in making the Tripple Alliance; in preventing, when he was in *France*, their Conjunction with *Holland*; in deterring that King from any Hopes that he would ever allow any of his Ships in Conjunction with ours; and the Impreſſions he had there left, to ſupply us wholly with Money in lieu thereof; but that by the Means of my Lord *Arlington*, this whole Scene was altered; that when he went after to wait on the King of *France* at *Dunkirk*, with Inſtructions ſigned by his Majeſty, but not counterſigned, becauſe my Lord *Arlington* was then at *Euſton*, he had almoſt retrieved that Point, till his Lordſhip's new Letters came and ſpoiled all; that he was the Man that preſs'd for the Poſſeſſion of Towns, but my Lord *Arlington* oppos'd the having of any for the firſt Year; that it was my Lord *Arlington* was always lock'd up with the *French* Ambaſſador, admitted him to Councils, and often broke off Debates, till he had conſulted the ſaid Ambaſſador; that his Opinion and my Lord *Shaftsbury*'s was, not to begin a War till they knew how to carry it through; but that was not my Lord *Arlington*'s Opinion; that it was my Lord *Arlington* ſent for my Lord *Schomberg*, and he was told, that he was not fit for the Work they had in Hand; and that one who is now dead, had told him, that it was the Opinion of one now alive, that his Majeſty ought to govern by a Standing Army; that the Regiment he had did belong to Sir *Edward Scot*; and that he only owned it for Sir *Edward*'s Sake, and to give him more Reputation; that he had got nothing by it; and that he had loſt as good an Eſtate as others had gotten; that the Lord *Shaftsbury* and he were always of Advice, that the Parliament ſhould have been concerned in the War; that he had his Share in the Declaration, but not in that Clauſe relating to Popery; that my Lord *Arlington* gave the Counſel for falling on the *Smyrna* Fleet: He mentioned how prudently the Buſineſs of the Ratification at *Utrecht* was made when he went over; that my Lord of *Ormond* had gotten five hundred thouſand Pounds; and that it appear'd upon Record, that my Lord *Arlington* had not gotten quite ſo much; that he flung himſelf at the Feet of that Houſe; and that if he were a Grievance, he was the cheapeſt Grievance that ever *England* had: And ſo his Grace withdrew. And the Concluſion of the Work was, to remove him from his Majeſty's Councils and Preſence for ever, and from all Imployments held at his Majeſty's Pleaſure.

January 15. 1673-74.

SIR *Gilbert Gerard* brings in a high Impeachment againſt the Earl of *Arlington*, under three Heads; Popery, Conſumption of Treaſure,

Treachery to his Majesty's Councils; and Sir *Charles Wheler* seconded the Matter; both of them having been great Sticklers for his Grace the Duke of *Buckingham:* After the reading thereof, the Lord *Arlington*, having desired by his Letter the Favour of speaking to the House, and being admitted, took Notice of some Aspersions he had heard of by the Copy of a Paper or Accusation, which they had or might soon hear of; and having no Time now to mention Particulars, I can only say in the general, that he spoke an entire Hour, and did make so distinct a Narrative, such clear Answers, so high a Justification of all his Behaviour, and exposing his Grace of *Buckingham* so much like a gentile Enemy, that all the Waves and Billows of the House were flung into a dead Calm; and he acquired more Reputation of Wisdom, Temper, and good Conduct in that Hour, than most of that Assembly would allow him to have, by all that he had been doing ten Years before; and I cannot but observe, that he went out in the same cool Temper that he entred, and not so much as the least Alteration of Colour in his Countenance: And it being now grown late, the further Debate was put off till this Morning; at which Time it being observed, that he had spoken nothing to the last Article, which was of betraying his Majesty's Councils, that was the Point that was chiefly disscussed to Day; his Friends declaring it to be High-Treason, and pressing that Sir *Gilbert Gerard* would own the making it out, or that he had Witnesses that should do so: And here the Knight did so much boggle, that he has desired Time till to morrow at 10 a Clock for his Answer therein; he offered to withdraw the Article, which was denied him; and the Reason that many had to begin with this Article was, that as the Crime of it drowned all the rest, so the Manner of their Proceeding must be different thereupon; for they must proceed by an Impeachment to the Lords, if any Ground was found for this Complaint; whereas, if they went on the other Heads of Male Administrations and Misdemeanors, they might acquiesce in their own Censure, as they had done towards the two Dukes. Sir *Gilbert* did declare, that this treacherous Correspondence was in the last *Dutch* War; but it occurr'd to many how unlikely this could be, for the same Reason that his Lordship had yesterday apologiz'd, touching his Intimacy with the *French* Ambassador; he said, the Mixture of their Affairs, and the natural Temper of that Nation, made that Ambassador very frequently with him, comparing Correspondences upon all Emergencies that happened; and there was a Time when he was equally intimate with the *Spanish* Ambassador, and had formerly lain under the Imputations of a Pensioner sometimes to *Spain*, and then again to *Holland*; but could it be thought that any in the midst of all the Libels and Calumnies that is flung out, by the joint Displeasure of both, there should not be a Revelation of this Crime to his Disadvantage, if there had been any Truth herein, *&c?* So it is easy to believe, that if he had betrayed the King's Councils, the *Dutch* are now fill'd with Revenge enough to have thrown in that among their other Complaints.

I am, *&c.*

A M.

A M. *de Duc. de Chaulnes.*

à Cologne ce 13 *Fèvrier*, 1673-74.

MONSIEUR,

LA Joye que nous avons de ce que vôtre Excellence se dispose à revoir ce Lieu ne se voit pas a son jour, que avec l'idée des Chagrin, que nous avons Essuyés de puis un depart si triste, que fut celay de vôtre Excellence par toute cette ville, mais sur tous par nous qui avons esté combles de tant d' Honneurs, & de bienveillance de sapart, Les bons Augures pour la Paix, que nous tirons de vôtre retour icy, Monsieur, aussi bien que nos Avantages propres nous le font souhaiter avec toute l'impatience du Monde, puisque nous esperons de pouvoir temoigner en cette Occasion au vôtre Excellence, & à Madame la Dutchesse aussi, une Partie de la Passion avec Laquelle nous sommes, MONSIEUR, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{3}{13}$*th Feb.* 1673-74.

MY LORD,

BY our last, which was of the $\frac{30}{9}$*th*, a Copy of which we take leave to send here inclosed, your Lordship will have received a distinct Account of the State our Negotiation was then in; that the *Dutch* Ambassadors continue still peremptory in their Resolution of refusing to answer, whether they would at all do any Thing or nothing in the Commerce in the *Indies*, pressing to lay that aside without any Kind of Resolution upon it, and to pass on to the other Points; that as to that of the Fishery, tho' they would not allow it should be reported to us, as a Declaration of their Mind in it, yet they had again and again avow'd to the Mediators, the States would do nothing in it, that is, in their Language, the States would desire that Matter might be left in the State it is, without making any Mention of it in the present Treaty; the only other Point remaining, in which any Difficulty can be made, being that of the Flag, and they being obliged, in their Offer made by the Marquiss *del Fresno*, to grant the Article to his Majesty's Content, we could not see, that either it was necessary or convenient for us, considering we were so far entred upon that Article of Commerce, and that it was at their Choice that that Article had been singled out to go first upon, we could not think it fit, without a further Signification of his Majesty's Pleasure, to agree that it should be wholly set aside, without any Kind of Resolution taken upon it, at least as to its Substance, and in the general; and therefore having first communicated our Resolution to the *French* Ambassadors, we did, on *Saturday* the $\frac{31 \text{ Jan.}}{10 \text{ Feb.}}$, give in our Answer to the Mediators, to the Instance they had some Days before made to us, on the Part of the *Dutch* Ambassadors, as to our going off from that Article of Commerce, and Proceeding to explain ourselves (as they worded it) upon the rest of the Points. Our Answer was to the Effect that we acquainted your Lordship, we had resolved it in our last, and we closed it; that as to the explaining ourselves upon the rest of our Points, we apprehended, we said, that the Nego-

Negotiations of this Kind, when Points are proposed to be worded and adjusted between Parties, there are but two Ways of explaining our selves upon such Points; 1*st*, To explain ourselves as to each Point, as to the Substance and Effect of it in the general; that is, to express ourselves so, as that it may be understood by the other Parties, what it is we would have in the general. And 2*dly*, to explain ourselves as to the last Particularities and Circumstances that may relate to the Adjustment of the Point in Question, which we said, was properly to form and word an Article, upon such Points. In the *first* Sense, we said, we conceived we had sufficiently expressed ourselves, *i. e.* that it was plain enough from the very Words used by the King our Master, in his Answer to the *Spanish* Ambassador's Memorial of the $\frac{10}{20}$*th* of *December*, what it is in the general his Majesty Demands in each of the three Points by him added; so as there needs no further Explication; to make it understood what his Majesty means in each Point. As to the explaining ourselves in the *second* Sense; that we understood, was properly to be done, when the Parties were agreed as to the Substance of each Point. That however they, the *Dutch*, having made Choice of the Article of Commerce, of the three given in by our Master the King, upon which to enter first into Matter with us, we had given in this *second* Sense, explain'd ourselves upon that Point, having given in our Article in Form, as we desired it might stand in the Treaty: and this Article being agreed, tho' as to the Substance and in the general, we said, we were ready immediately to pass on to the rest, *viz.* to that of the *Fishery*; having an Article ready formed for that Purpose; that upon the whole Matter, as to the three Points added by his Majesty in that of the Commerce, they had already had our Project of an Article in Form; in that concerning *Surinam*, the Matter was so plain, clear, and known, that we conceived there would be no Difficulty between us in the wording of it; so as there remained, we said, but one Point, in which they could call for Explication, even in this last Sense, *viz.* that of the *Fishery*: And as to that, we told them, we were ready immediately to give in a Project of our Article upon it, so soon as ever they would declare themselves willing to agree to this Thing in the general. That it being most plain from his Majesty's Words, what it is in the general his Majesty expects in that Point, so soon as in the general they shall have agreed to it; we were ready, in the same Moment, to exhibit an Article in the Form and Words we would desire it. And this we told them, we conceived was according to the Method and Nature of all Negotiations of this Kind; and, as we thought, the speediest Way of bringing the whole to a speedy Conclusion between us; which we said, was what the King our Master extreamly desired; and had given us in Charge by all Means, on our Parts to endeavour. In this State our Negotiation stands, that is, of the three Points added by his Majesty, in his Answer to the Marquiss *del Fresno*; the *Dutch* Ambassadors cannot be perswaded by any Means to speak out what they will do upon that of the Commerce, not in the general, whether at all, any Thing or nothing. As to that of the *Fishery*, tho' they have not allowed it should be reported to us, as their Answer, yet they have again and again, as the Mediators tell us, told them, they can never agree that any Thing should be done in it, but that the Thing should be left in the State it is; but we apprehend all they do here, is but Grimace and for Form's Sake, to comply with our Offer of entring into Matter with them here, and that indeed their Design and Expectation hath been all along, to have Matters made up in *England*; in which, we doubt they will have been much more confirmed from

from the unhappy Diſtempers ariſen in the Houſe of Commons, ſince their laſt Meeting; and that is now look'd upon by all the World as the fatal Criſis of all our Negotiations here; and which will certainly put an End to this whole Matter. God Almighty grant it be ſuch a one, as may be for the Honour and Satisfaction of his Majeſty, and the future Advantage and Security of his Subjects: But we cannot but with Grief of Heart, take notice upon this Occaſion to your Lordſhip, what fatal Effects thoſe violent and impetuous Proceedings at Home are like to have as to his Majeſty's Intereſts abroad, every Body crying out already, there muſt be an End for ever of treating or dealing with a Crown, where the moſt ſolemn, the moſt advantageous Alliances, are ſubject to ſo ſtrange and ſo unheard of Violences: God Almighty continue his good Providence over his Majeſty and his Affairs, and compoſe thoſe Diſtempers, which ſeem to threaten ſo ſudden, ſo irreparable Ruin to the Intereſt, as well as to the Reputation of the Nation abroad: We are expecting with great Anxiety of Mind, what the Expreſs will bring, which your Lordſhip was pleaſed to let us know, was intended to be ſent us on *Monday* the *26th* of *January*; by him we ſhall hope to receive a further Account, what ſhall have been his Majeſty's laſt Reſolution as to the Article of the *Fiſhery*, at which the Negotiation ſeems moſt to ſtick upon; this laſt Letter your Lordſhip is pleaſed to tell us, his Majeſty hath received from the *Dutch*: If that were once out of the Way, the Mediators would make us believe, the *Dutch* would do ſomething upon the Point of the Commerce; but what it is they would do, they do not ſay: they acknowledge to us, the *Dutch* Ambaſſadors have not allowed, that they the Mediators ſhould ſo much as tell us, they would do any Thing in it; it is but the Mediators private Opinion and Belief, that they would do any Thing at all upon it.

We think we underſtand his Majeſty's Mind fully, from what your Lordſhip was pleaſed to ſay in your laſt Letter of the *19th* paſt, as to our agreeing even to ſign with the *Dutch* Ambaſſadors, in Caſe it ſhould pleaſe God Matters were come to that paſs between us; that is, to do it with the Qualification his Majeſty hath put himſelf upon it, in his Anſwer to the *Spaniſh* Ambaſſadors Memorial, *viz.* as to himſelf, and for what Regards the King himſelf; and accordingly, we prepare ourſelves to do it, when the Matter ſhall be brought to that Perfection, which, in that Caſe, we ſhall endeavour to quiet the *French* Ambaſſadors in, as well as we can: Hitherto they have ſeemed well enough to allow of what we have done; that is, not to expreſs any great Diſcontent or Umbrage at it; when the Buſineſs ſhall be brought to that Point, we know not what they may do; but we ſhall endeavour to make it go down with them as well as we can.

Yesterday M. *Sparr* began his Journey for *England*, taking his Way down the *Rhine*, and ſo by the *Hague*, where he expects to be detain'd 5 or 6 Days, as well to take off any Umbrage the *Dutch* may have of his Errand into *England*, as to try how far he can incline them to the Propoſition he carries with him of a general Suſpenſion: Within a Fortnight he hopes to be at *London*.

We have already acknowledged, in a former Diſpatch, the Receipt of a new Project of an Article of the Flag; which we look upon as his Majeſty's laſt Mind in that Matter, and which we ſhall accordingly, when the Point comes in Order to be adjuſted, inſiſt upon; tho' we apprehend the *Dutch* will not fail to raiſe all the Difficulty imaginable upon that Part of it, which aſſerts the King's Right to the Flag within

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all the Seas between Cape *Finisterre*, and the middle Point of the *Land-van-Staten* in *Norway*, as being a Matter they will hope the Neighbour Princes will look with an ill Eye upon; and in all Likelihood their Ministers here will give what Opposition they can to it, at least underhand: However, we look upon it as our Duty to insist peremptorily upon that Article in the Form it there stands, without agreeing to any Alteration, unless we receive his Majesty's express Orders for it; especially considering they, the *Dutch*, have offer'd, by the *Spanish* Ambassador, to agree that Point to his Majesty's Satisfaction. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{5}{15}$*th Feb.* 1673-74.

My Lord,

SINCE our last, which was of the $\frac{3}{13}$*th*, a Duplicate whereof we take Leave to inclose, our Treaty here is fallen upon such an Incident, as does not only put a Stop to our Negotiation for the present, but excite a Horror and an Indignation in all that hear it. Prince *William* of *Furstemburgh* having born his Part in this Assembly, under the Character of Plenipotentiary to this Elector, these 8 Months last past, and having acted in virtue of his *Plenipouvoir*, which was at his first entring upon Business communicated to the Mediators, and admitted of by them in Form, was yesterday, about 4 a Clock in the Afternoon, set upon, as he was going from his own House to St. *Pantaleon*'s, (the Convent where the Elector is retired) to wait on his Electoral Highness; he was attacked by 15 Men (or about that Number) in Arms, who were commanded by the Marquis *Obizzi*, Major to the Regiment of *Grana*, which is now in Garrison at *Bonn*. The first Shot they made, was at the Prince's Coachman; and having stopp'd the Coach, they pulled him down, and put one of their own Company into the Box; two of the Prince's Gentlemen, and his Secretary, being got out of the Coach, endeavour'd to make some Defence; but they were so set upon, that they are very dangerously hurt, partly with Fire-Arms, and partly with Swords; so are two of the Prince's Lacquies: The Prince being got likewise out of his Coach, they threaten'd they would kill him outright unless he went back again into his Coach; and having thrust him in, several of those that had made the Assault, thrust themselves into the Coach along with him. Thus having rendered themselves Masters of him and his Coach, they drove out at a Gate, where (it seems) they were sure to meet with no Stop or Opposition from the Guards or Sentinels upon Duty; within a thousand Paces of the Gate he went out at, there were Horse and Foot ready to take him (as they did) into their Power, and then they marched, and carried the Prince away to *Bonn*. This Morning we understand, that the Marquis *Obizzi*, that commanded the Assassins, was left upon the Place, being hurt and in some Danger; the Magistrates having understood of it from the Mediators, have since caused him to be arrested; he does not express any Regret for the Action, professing that he ought not to have any, since what he hath done, hath been done by the Orders of his Superiors.

The Mediators happen'd to be with us at our House, when this News was brought us last Night; they were telling us, how that M. *Beverning* had received a *Plenipouvoir* to himself alone, and that M. *Isbrandts*

was

was upon his Departure for *Holland*; that M. *Beverning* having shewed to them this new *Plenipouvoir*, and they finding it was to treat with the Most Christian King and the Princes his Allies, they took their Exceptions to it, because there was no Mention made in it of the King our Master; telling the *Dutch* Ambassadors, that this Manner of Proceeding was not fair, in Regard the Aim they had of making separate Accommodations, was very visible in itself, as well as contrary to the Commission and Instructions given to them, the Mediators: We suppose Count *Tott* had a Copy of the *Plenipouvoir* (for he held a Paper in his Hand) ready to leave with us; but they, as well as we, took the Alarm so hot, that they stayed not to finish the Discourse they were upon; but we hasted all we could to Prince *William*'s House, where we found not only the Prince's Sister and her four Daughters, in a Consternation that may be better imagined than expressed, but also the *French* Ambassadors, under the same Surprize with the Mediators and us, at this Violation of the Publick Faith and Security: The first Thing which the Mediators did, was to send for the Magistrates, and to represent unto them (when they came) this Breach of the Law of Nations, and to wish them to consider how they would answer it to the several crowned Heads, and other Princes concerned. They excused themselves upon an Accident they had all an Abhorrence for, and not in the least capable of being foreseen by them; and promised to make diligent Enquiry, whether any Person in this Garrison (which is under their Command) had any Hand in this Affair; and they charged themselves to secure the Prince's House and Family with a good Guard (as they did). For last Night, while we were in Expectation of the Magistrates to come to us, all the Publick Ministers present fell into such Reflexions as occurred to each upon this barbarous Action, and upon the Consequences of it; all concluding that this Violation of the Surety of this Place, does necessarily put a Stop to all Negotiation; and that the Hands of all Ministers here are tied up, till they have Orders from their respective Masters, whose Honours (as they apprehended) are not only interested, but wounded in this Violence upon a Publick Minister. This Affair being thus debated to and fro, the Mediators took us apart, and told us, they had a Letter written to them by the *Dutch* Ambassadors in Answer to ours, and asked us, whether we would take any Communication of it from them, as Things then stood; adding, they would be glad that the Negotiation were not retarded by this Accident, but offer'd themselves ready to demand Reparation of the wrong done, and also to promote that Part of the Treaty which was going on between us and *Holland*. We, having observed that the Mediators do of late press forward this Negotiation, in Hopes to be possessed of all the Parts of it, and consequently to retain it here, so that it shall not be transacted in *London*, and that it is not (if we understood them rightly) so much their Zeal for the Peace, as for the Point of Honour in their Office, which makes them so diligent in an Affair, which they would be sorry to see at an Issue separately from the rest of the Alliance, desired Time till this Afternoon to consider of what we had to do; and the Express Mr. *Smith* happily arriving here with the Honour of your Lordship's Letters of the *26th* and *30th* past, before the Hour we were to give in our Answer, we found in those Letters, Intimations sufficient (if we take rightly, as we hope we do, his Majesty's Meaning) to determine us in this Point: Since his Majesty is graciously pleased to direct, that we should forbear to press in this Negotiation, so fervently as we were formerly enjoyned; that we may have Directions for our future

Behaviour, according to the Advice his Majesty should receive from both the Houses of Parliament. When we came to give our Answer to the Mediators this Evening, we did desire them to favour us with their Advice in the Straits we were in; telling them, we knew not how we should be able to answer it to our Master, if we should shew the same Resentments of this Violence done to him and to all Princes, as well as to this Elector his Majesty's Ally, which we saw the *French* Ambassadors, and several other Publick Ministers, were full of; they all expressing themselves with a Respect and Tenderness suitable to the Weight of the Occasion; every body among them concluding, nothing was fitting, or indeed safe for any Publick Minister here to do, (besides that of using his Instances with the Mediators and the Magistrates, that all Parties and Complices to this Violation may be pursued) until he had the Orders and Resolutions of his Master upon this unhappy Affair; and his Majesty, as well as his Allies, having, when he consented to treat in this Place, understood it to be a Place of *Surety*; since now, in the Judgment of all Mankind, it ceases to be so at this Time, we asked the Honour of their Advice, whether it was not safest for us to expect the Return of the Courier, we are dispatching upon this Occasion, hoping in 12 Days at furthest to learn his Majesty's Pleasure upon this Incident, the *French* Ambassadors dispatching upon this Occasion likewise an Express to their Master? The Mediators answered us, that this was an Affair of the highest Difficulty and Consequence, that they durst not give an Advice in the Case; but as they would use all Instances possible to get Reparation of this Injury, so they offer'd their Service to us in the mean time: Then they told us, the *Dutch* Ambassadors were as unwilling as they (the Mediators) are, to have the Peace concluded otherwhere, or by other Persons than themselves, who had attended it so long, and took so much Pains in it; that they were sufficiently aware of M. *del Fresno's* pressing at the *Hague*, for *Plenipotentiaries* to be sent him to *London*; but that they, the *Dutch* Ambassadors, were confident (so unfair still are their Insinuations against his Majesty) that their Masters would have that Regard to the Honour of the Mediators, as not to give any such Power to M. *del Fresno*, unless the King our Master should desire and press for it: But they, the Mediators were pleased to allow of this as a very ill grounded Suggestion, as soon as we had minded them of the Declarations his Majesty had made all along of his Confidence he had in the King their Master's Friendship, and of his Esteem of their Persons, the Mediators, and particularly when we had desired them to reflect upon the Concern his Majesty had express'd, with so much Regard and Tenderness, in his late Answer of the 4th of *December*, to M. *del Fresno*; wherein he desires the Treaty may go on here at *Cologn*, out of the Respects he bore to the Mediation of the King of *Sweden*, and to the Interest that King had, that this Affair should not be taken out of his Hands. We, upon the whole Matter, having concluded with ourselves, that if his Majesty were necessitated to clap up the Peace there in *London*, there could not be a fairer Apology for the taking it out of the Hands of the Mediators here, than that this Place is so barbarously violated as now it is; and since his Majesty's Affairs will not suffer him, on the one Hand, to delay a Peace, which his Parliament calls for with so much Impatience; and that, on the other Side, the Resentments and Example of his Allies, will not allow him to own this Place as a Place of Surety any longer, the concluding of the Treaty at *London* will be less liable to the Exceptions of the Mediators here, since the Point of Reparation for this Violence

to the Law of Nations, will be Matter of a very long Dispute; and the longer, in that we are told, this is said to have been acted by the Emperor's immediate Order: For Prince *William* being brought to *Bonn*, and entring into Discourse with the Marquiss *de Grana*, of the Authority by which he was seized and brought Prisoner thither: The Marquiss answered, he knew nothing of it; the Orders from the Emperor having come immediately not to him, but to those Hands that put them in Execution. We therefore presuming, under his Majesty's gracious Pardon, that we could not take a safer Course for his Majesty's Service, excused our selves from giving any Answer to this Letter inclosed of the *Dutch* Ambassadors, (which your Lordship will find to be a very gross Piece of Chicane from one End to the other) till the Alliance of that Side (tho' we did not presume to charge the *Dutch* Ambassadors with being conscious to so unparallell'd a Piece of Barbarity) do make the Reparation fitting to the Alliance on this Side, wherein his Majesty cannot but have a Concern and a Share.

We are now in the $\frac{6}{16}$ *February*.

Just as we were closing this Dispatch, we had a Summons from the Mediators, to give them and the *French* Ambassadors a Meeting at Prince *William's* House; Count *Tott* being come, told us, he just then received a Visit from M. *Beverning*, who had shewed him a Copy of a fourth Letter written by the States to the King our Master, and of a Plenipouvoir, which they had dispatched to the *Spanish* Ambassador in *England*; having gone off from the Resolution they had once taken, of sending for safe Conducts, for some of their own Ministers to pass into *England*, for making up the Peace; that M. *Beverning*, notwithstanding all that, had offer'd himself just then to go on in the Treaty here; and had desired them, the Mediators, to invite us to do our Parts in it; that in the Interim, they the *Dutch* Ambassadors would make all the Protestations and Instances requisite, against the Force acted upon Prince *William*, in Order to have him restor'd to his Liberty, and the Offenders punished: That if we would accept of this Offer, and come to treat, M. *Beverning* would stop the Courier he was now dispatching into *Holland*, upon Occasion given him the last Night, by our excusing our selves (as we did) from medling further in the publick Business, till we had our Master's Orders upon this Violation of the Law of Nations, in the Minister of one of his Allies. And further, Count *Tott* said, M. *Beverning* had pressed, that if we would not go on, he, the Count, would draw from us a Declaration in Writing of our Refusal. The Count pressed further, that if we would not presently treat, yet that at least we would declare, that if the Prince were honourably restored to his Liberty, (which he hoped would be in a Day or two, upon the Mediators Letter to the Duke *de Bournonville*) we would re-enter upon the Business again, as soon as we should find him return'd hither: But his last Argument, or rather Complaint, was, that this Treaty was going to be made in *London*; that his Majesty had acknowledged as much to M. *Leyenbergh*; and that the *Dutch*, in making Offers to treat and conclude a Peace here at *Cologn*, would have the Advantage of saying, that they had all the Respect possible to the Mediation of *Sweden*, and would not have it declined, as also to the bringing about of the general Peace here, but that the King of *England* had obliged them to quit that Method and Design; his Ministers refusing to treat here, and the Necessity of their Affairs forcing them, the *Dutch*, to accept of a

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Peace at any Hand or Way, that ſhould bring it to them. The Count was in very great Heat; but we took the Liberty to excuſe ourſelves with the Freedom that became a Buſineſs of that Weight; telling him, that tho' we were otherwiſe inſtructed ſufficiently, and ready to go on with our Treaty with the *Dutch*, yet this incident was of that Nature, that we muſt acquaint our Maſter with it, and have the Honour of his Orders upon it, before we ſhould make any one Step further with the *Dutch* Ambaſſadors; on whoſe Side (as to the Party) this Violation of the *Publick Faith* was committed. That we thought this was a Point of Honour, that equally regarded each of the Princes of our Alliance, and conſequently our Maſter; and it being an Action ſo far unforeſeen, (that it enters not into any Man's Thoughts but with Abhorrence) we could not be imagined to be inſtructed for it: That on the other Side, it was of greater Weight (as we conceived) than any one Point in our Treaty: Therefore deſired the Count to conſider, how abſurd it would be in us, to enter into any Deciſion of it, without one Syllable of Inſtruction to guide us; that 'twas poſſible that Prince *William* might be ſet at Liberty, and that our Maſter and other Princes might content themſelves with that, as a Reparation ſufficient; but then it would be an inſufferable Raſhneſs and Preſumption in us, to anticipate, and (as far as lies in us) to conclude our Maſter, by making ourſelves ſo far Judges in this Point, as to accept of, and acquieſce in what ſhould be now offer'd or done, before we knew his Majeſty's Pleaſure; who being concerned in the Point of Honour, was conſequently to determine of the Reparation: The *French* Ambaſſadors being preſent, took our Parts in this Opinion ſo far, as to tell the Count freely, it was unreaſonable in him to preſs what he did, and alſo to declare as they did, that if they ſhould make ſuch a Step, as the Count would have us make upon this Incident, they muſt expect (and that very juſtly) to be proceeded againſt in their Country, as in a Crime of *leze Majeſté*. In the other Point which the Count had ſo much and ſo bitterly reflected upon, *viz.* that the Peace was making up at *London*, and *Sweden* paſſed by and neglected; they, the *French* Ambaſſadors, were very frank and generous in their Declaration: They ſaid, they had the ſame Intereſts which the *Swedes* had, in that what the King our Maſter was now doing; that they were convinced, he was under a violent Neceſſity, and (as it were) in a Storm; that they were extreamly ſatisfied with his Friendſhip and entire Well-wiſhes towards their Maſter and the common Cauſe; and that conſidering he ſtruggled with Difficulties, not otherwiſe to be ſurmounted or avoided, they were grieved at his Condition, but were not in the leaſt diſſatisfy'd with his Proceedings. The Count having heard the *French* Ambaſſadors deliver themſelves ſo freely againſt his Judgment, or rather his Declamation upon both theſe two Points, was much appeaſed, and preſſed us no more; but having communicated to us a Letter he had drawn to the Duke *de Bournonville*, he diſmiſs'd us with a Reſolution to anſwer M. *Beverning*, that we were unmoveable from our Ground, and that upon no other Reaſon but the Heinouſneſs of this Violence; and that nothing of Progreſs was to be expected from us, till we have a Return of our Courier, which if your Lordſhip ſees Cauſe, we hope to ſee returned hither with all the Haſt poſſible.

We take leave to encloſe here the Emperor's Declaration made in *April* laſt, for the Security of this Place, and of all Perſons that ſhould bear Part in the Treaty; whereby your Lordſhip will ſee how irreconcileable this Action is to it; there is one Circumſtance the Mediators

tell

tell us, which makes it to be their own Cauſe in ſo particular a Manner, that we cannot but wonder they can think it ſafe for them to act any Part, but of purſuing the Offenders, and waiting their Maſter's Orders; for Prince *William* having, ſome Weeks ago, acquainted the Mediators with the Advices he had of a Deſign upon his Perſon, they reflecting upon the Declaration incloſed, and ſeeing he muſt needs, in virtue of his Character, be as fully comprehended in it as any other Miniſter, gave him Encouragement to continue and appear in Publick, not believing it poſſible there ſhould be ſo groſs a Violation of it. We have been, and are in ſo great a Hurry and Diſtraction upon this Buſineſs, that we muſt humbly beg your Lordſhip's Reſpite for a Day or two, to recollect and digeſt thoſe Notions, whereof your Lordſhip does us the Honour to require an Account of us, in order to thoſe Uſes your Lordſhip is pleaſed to intimate. We have Mr. *Smith* the Expreſs to diſpatch away as ſoon as we can be ready. We are, *&c.*

A M. le Prince *de Strasburgh.*

à Cologn ce $\frac{4}{14}$ *Feb.* 1673-74.

MONSIEUR,

L'Attentat ſi noir qu'on vient de Commettre ſur la Perſonne de M. le Prince vôtre frere nous donne une affliction d'autant plus ſenſible qu'il nous eſt impoſſible d'y porter aucun remede qui ſoit proportionnée à la Violation que le droit de Gens en ſouffre. Tout ce que nous avons faire à preſent à eſtè d'employer nos ſoins avec ceux de tous les autres miniſtres ſur ce lieu pour la ſeureté de Madame la Conteſſe vôtre ſœur, Monſieur, & de ſa famille. V. A. jugera bien que nous ne manquerons pas de faire part de ce qui eſt arrivé inceſſamment au Roy, afin que ſa Majeſté ait a juger combien le droit de Gens & le Prerogative de Tous les Soveraignes en ſont Bleſſés. C'eſt un bonhéur pourtant que la Vie de M. le Prince vôtre frere n'eſt plus en danger, & nous prenons part aux reſſentiments que V. A. Monſieur, aura de cette action avec la Veritable Paſſion qui nous obligé d'eſtre pour jamais, MONSIEUR, *&c.*

To the Lord Ambaſſador *Lockhart.*

Cologn $\frac{5}{15}$ *Jan.* 1673-74.

MY LORD,

OUR Treaty here is fallen upon an Incident, that does not only put a Stop to all Negotiation for the preſent, but excite an Horror and Indignation in all Mankind: Prince *William* of *Furſtemburgh* having born his Part in this Aſſembly theſe 8 Months laſt paſt, as Plenipotentiary to this Elector, and acting in virtue of a *Plenipouvoir* (as the Mediators tell us) in good Form, was ſet on yeſterday at four in the Evening, in the open Streets of this City, as he was going to St. *Pantaleon's*, (the Convent where the Elector reſides) by a dozen armed Men; his Coachman was preſently diſmounted, and one of the Company that made the Aſſault put into the Box. His Secretary, Gentleman of the Horſe, and other of his Servants, dangerouſly wounded with Swords and Piſtol-ſhots; whether he was hurt or no (ſeveral Piſtols being

being ſhot into his Coach) is not yet known; but carried away he was, with all Violence poſſible, in his own Coach, which was driven out at one of the Gates, without any Oppoſition made by any of the Guards or Sentinels, as he paſſed by them: And it is certain, there were without the Gates, ſeveral Companies of Horſe and Foot, that attended his being brought to them: Whither they have carried him, we know not: The common Conjecture is, they have carried him to *Bonn.* He who commanded the Party that ſeized the Prince in the Town, is ſtaid behind, being hurt in the Reſiſtance that the Prince's Servants made. His Name is Marquis *Obizzi*, Major of the Regiment of *Grana*, (which Regiment hath been aſſigned to ſecure this Aſſembly) and he does avow openly, that what he did, was by Order from the Emperor. When we have any more Particulars, we ſhall be ſure to give them your Excellency with the firſt Conveniency: Beſeeching you, My Lord, to favour us with your own Reflexions, as alſo with thoſe of that Court, upon this horrid Act, in order to our better Government upon this Place. We are, *&c.*

A M. le Prince *de Strasburgh.*

à Cologn ce 18 *Février* 1673-74.

Monsieur,

La Lettre que V. A. nous fit l'honneur de nous eſcrire du 16. de ce mois nous fait voir un Tendreſſe digne de V. A. envers M. le Prince vôtre frere mêlée avec des reſſentiments les plus juſtes du monde d'un attentat ſi noir ſur ſa perſonne. Nous y prenons notre part, Monſieur, avec une affliction tres ſenſible, & V. A. nous faira l'honneur s'il lui plaiſt de croire que nous n'aurions garde, de manquer d'en avertir le Roy nôtre Maitre par un Currier Expres tout auſſi-tót que l'action fut fait, afin que ſa Majeſtè ait à deliberer des moyens par les quels Elle pourra faire voir au monde l'eſtime, & l'amitié qu'elle a pour la perſonne de M. le Prince vôtre frere, dans une maniére convenablé à cette occaſion: Monſieur le Prince de Heſſé aura eu la Bonté de s'informer que nous n'avons rien oubliés de ce qu'on pourroit attendre de nous pour porter Meſſieurs les Mediateurs & M. M^rs. de la Ville auſſi à faire ce que nous croyons eſtre de leur Juſtice pour faire voir au Monde la deteſtation qu'on doit avoir d'une action ſi infame, qu'eſt cette Violation du droit des Gens; & nous ne manquerons en rien qui puiſſe faire voir la paſſion avec laquelle nous ſommes, Monsieur, *&c.*

To the Earl of *Arlington.*

Cologn 20*th Feb.* 1673-74.

My Lord,

Having reſolved to return Mr. *Smith* Expreſs this Evening, with ſuch an Account as we can of your Lordſhip's Commands of the 30 Jan. / 9 Feb., as to the Frame of the Articles upon the Points there mentioned by your Lordſhip: We preſume only by the Ordinary to give your Lordſhip this Account of ourſelves, hoping he will, according to his uſual Diligence on theſe Occaſions, be much earlier with your Lordſhip than this can be. We remain, *&c.*

To

To the Earl of *Arlington*.

Cologn $\frac{10}{20}$*th Feb.* 1673-74.

MY LORD,

OUR laſt, which was dated the $\frac{5}{15}$*th*, but not cloſed till the next Day, went by Mr. *Barré* the Expreſs, and was particularly to give your Lordſhip an Account of the horrid Aſſaſſination that was committed the Day before upon the Perſon of Prince *William* of *Furſtemburgh*, of the Diſorder that Violation of the Law of Nations had thrown the whole Aſſembly into; and of the Reſolution we had judged ourſelves obliged to come to upon this ſo extraordinary an Account, as to our Conduct, of forbearing to make any further Step in the new Negotiation we were upon with the *Dutch* Ambaſſadors, until we had firſt given an Account to the King our Maſter of what had happened, and received his Majeſty's Pleaſure upon it. We took Leave to acquaint your Lordſhip with the Reaſons that had led us into that Reſolution, *viz.* the Heinouſneſs of the Attempt, upon the Honour of the greateſt Kings and Princes of *Chriſtendom*, who have their Ambaſſadors and Publick Miniſters in this Place: The unanimous Judgment and Opinion of all the Ambaſſadors and Miniſters was, that abſolutely it were not fit, or indeed ſafe, after ſo infamous a Violence committed on the Perſon of an Ambaſſador openly, and with the Avowance of thoſe that did it, for any Miniſter here to make the leaſt Step or Advance whatſoever in any Buſineſs, until they had firſt advertiz'd their Maſters of what had paſſed, and had their Command for their future Government. This was the unanimous Opinion of all the Publick Miniſters here; and tho' we eaſily judged how greatly it imported his Majeſty's Affairs, in this Conjuncture of Things at Home, to have all imaginable Diligence uſed in finiſhing the Peace with *Holland*, in the Way we were negotiating with them; yet upon ſo very extraordinary and high a Point as this was, and after ſo general and unanimous a Declaration, and indeed Deciſion of all the Body of Ambaſſadors here upon the Place, we did not ſee how we could, with the Duty we owe to the Honour of the King our Maſter, or with Safety to ourſelves, come to any other Reſolution than what we did take, of forbearing to proceed further in any Part of our Buſineſs, till the King were firſt advertiſed, and had pleaſed to give us his Commands how to govern ourſelves in it: This Part therefore we had judged we ſhould be neceſſitated to take, though not without great Fears and Difficulties with ourſelves, on the other Side; conſidering by all we knew then of the State of Things, the Negotiation of our Peace with *Holland* was intended to be carried on here, in the Way it then was, between us and the *Dutch* Ambaſſadors; and that conſequently, by this unlucky Accident, and the Stop it would put upon all Buſineſs, the Matter of the Peace, which we ſaw how infinitely neceſſary it was to his Majeſty, in the State Things were in at Home, muſt neceſſarily ſuffer a great Delay. Thus far therefore we thought we could not be without great Doubt and Anxiety, in the Reſolution we were going to take; but finding by your Lordſhip's Expreſs of the $\frac{30 \text{ Jan.}}{9 \text{ Feb.}}$, which arrived very happily the next Day after this Accident, *viz.* the $\frac{5}{15}$*th*, that by the Plye Things had taken, and were likely to take in the Parliament, his Majeſty's Mind would be, for many Reaſons, rather to cloſe this Preliminary Treaty at *London*, than here; we concluded we

we might now, with all Safety, confirm ourſelves in the Reſolution we were taking, of forbearing all Negotiations upon what had happen'd to Prince *William*; and not only ſo, but that this incident, and the Reſolution we ſhould thus take upon it, might give the King a very lucky and plauſible Occaſion to juſtify what his Majeſty found himſelf otherwiſe neceſſitated to do, *viz.* to draw the Negotiation of this preliminary Treaty with *Holland* from hence to *London*: This great and extraordinary Incident of Prince *William's Enlevement*, and the Impoſſibility there was, after ſuch an Incident, to proceed further in any Negotiation here till full Reparation given, would, we thought, give his Majeſty, the faireſt excuſe at leaſt, in the World, for doing that at *London*, which, on the one Hand, all the World allow the Extremity of his Affairs neceſſarily calls for; and which, on the other Hand, is impoſſible to do here. This is the Conſideration we had to determine us, principally, in the Reſolution we acquainted your Lordſhip we had taken in the Matter: and we humbly hope his Majeſty will forgive us, if we have miſtaken in any Part of it. We found ourſelves in an infinite Streight in the Thing, and we took that Part we judged moſt ſafe for his Majeſty's Honour; whatever Hazards we ourſelves may run in the Judgment his Majeſty ſhall pleaſe to make otherwiſe of our Conduct in it. This we find ſo far prepared for his Majeſty, in Caſe he ſhall find Cauſe to make uſe of it to that Purpoſe, that already the Mediators and ſeveral other Miniſters have made the very ſame Reflexion upon what has happen'd, and conclude that this will indeed neceſſitate his Majeſty to draw the Negotiation of his ſeparate Peace (in Caſe his Affairs preſs him to make one) to *London*: Nay, the Count *Tott*, in a Converſation we had with him the other Night, refin'd the Matter a Degree further, and would needs have it, that this very Accident befallen Prince *William*, was a Contrivance of the *Spaniards*, thrown in at this Time, on Purpoſe to oblige the King our Maſter to draw this Negotiation with *Holland*, from hence to *London*; by which Means, ſaid he, the Buſineſs of the general Peace, *Spain* apprehended this ſeparate one between the King and the States, ſhould it have been finiſhed here, would in all Likelihood have drawn on, will be wholly defeated: So as we find upon what has happen'd here, and the Stops all the publick Miniſters have agreed ought thereupon to be put to all further Negotiation; the Minds here are ſufficiently prepared to receive, without very much Alarm or Surprize, the News of his Majeſty's finiſhing this preliminary Treaty at *London*: Which we think, is proper for us, by all Means, to humour and encourage what we can, in Caſe his Majeſty ſhall come to need ſuch an Excuſe, to colour his taking the Negotiation from hence.

In Obedience to your Lordſhip's Commands, we have thought, as we have been able, in the ſhort Time we have had ſince we received your Lordſhip's Orders for it, how to give a rough Draught of ſome Articles upon the principal Heads your Lordſhip was pleaſed to make out to us in your laſt Diſpatch, as what your Lordſhip judged, in your own Opinion, might not improperly make the Subject of the intended preliminary Treaty: We are afraid they may not be altogether ſo exact and weigh'd as they ought to have been; but we moſt humbly beſeech your Lordſhip's Pardon, that we choſe to ſend them as they are, apprehending by what we could judge of the Conditions Things were in, at the Writing of your Lordſhip's laſt, and that they may have been already couched on that Side: We preſume to ſend them in *Latin* as well as *Engliſh*, with ſome few Obſervations which occurred to us to make upon ſome of them.

1. The

1. The *first* Article is to restore the Peace, provides in the general for all Offices of Friendship and good Neighbourhood in the usual Terms, and is suitable to the like Article in other Treaties, particularly noted in the Margent of the Draught, *No.* 1.

2. The *second* Article is for a general Amnesty of all Injuries, Spoils, Losses, *&c.* during the War; and for quieting the Propriety and Interest of the Possessors in any Ships, Goods, and Moveables taken during the War, marked *No.* 2.

3. The *third* is for all Hostilities, to cease from the Time of the signing and publishing of the Peace, marked *No.* 3.

4. The *fourth* is for setting different Terms or Days, according to the different Distances of Places for the Peace to take Effect all over the World; as to Ships and Goods that may happen to be taken between the Time of the signing of the Peace, and the certain Knowledge of it in those different Parts of the World, and is marked *No.* 4.

5. The *fifth* is the Flag, and is done in the *Latin*, which is to be the Original Language of the Treaty, with all the Exactness we could, upon the last *English* Project transmitted to us by his Majesty's Command; save that we have presumed in one Place or two, under your Lordship's Favour, to help it against the Cavils of the *Dutch*, which your Lordship will find a Line under.

6. The *sixth* is in the Business of *Surinam*, and is the same Article we brought along with us in our Project; only considering, that so important a Stipulation as this is, would look a little bare and naked, without in some Part taking notice of the Occasion and Ground of it, we have presumed to prefix two Lines by Way of Introduction and Preamble to it; taking notice of the Right upon which the Stipulation is grounded, in Case his Majesty shall please to have any Preface at all.

7. Is for Restitution of Places taken during the War, and is worded according to what has been usually done in the like Cases.

8. The *English*, according to the Nature of the Thing, and the Model seem'd to be proposed for this preliminary Treaty, ought, we humbly conceive, to be the remissory Article, is to contain the Provision his Majesty intends to make for the agreeing and adjusting those many other Points, that will be otherwise left unsettled and unprovided for by this preliminary Treaty: Such are, 1*st*, All Points that relate to general Amity and Intercourse, use of one another's Ports, Safety and Freedom of Travelling, Sayling, Trading, *&c.* which are Points naturally consequential upon the establishing of a Peace between the Parties; and make not less commonly than twenty or thirty Articles, in all the ordinary Treaties of Peace. 2*dly*, The main Treaty or Adjustment of the Points, immediately relating to Trade in the general. 3. The Matter of Regulation of Trade in the *Indies*, &c. In which, we humbly beg your Lordship's Pardon, if we have not offer'd any Draught or Article, as not knowing certainly how, where, and in what Way, his Majesty's Mind would be, that those Matters should be hereafter adjusted; if all at once and together, under the same Commission, and at the same Time, *&c.* however, if we can find, that upon the further turning of this Point in our Thoughts, we are able to offer any Thing worth your Lordship's Trouble, we shall endeavour to do it by the next Occasion.

9. The *ninth* in Order seems to be that for the Payment of the 800000 Crowns, which having less of Difficulty in it, we have presumed to be less sollicitous in it, for the sending it by this Occasion, but shall take leave to do it by the next.

10. Your Lordſhip will conſider, whether it be not fit to add in the *tenth* Place, an Article in the uſual Form, for obliging the Stadtholders, *&c.* to ſwear to this Peace; ſuch as was that in *Breda*, Art. 36. which is the ſame as that with the Uſurper, 32 Art. We have tranſcribed one, mentioning only the Prince of *Orange* by Name, *&c.* mark'd *No.* 7.

11. In this Cloſe it may be thought not improper to make a Proviſion for the including ſuch Princes, as ſhall deſire to come into the Benefit of this Peace within a certain Time; and particularly the King of *Sweden* will preſs, it is likely, by his Ambaſſador M. *Sparr*, to be by Name included into it: Such an Article is that, in the Treaty with *Holland*, Art. 37. with *France*, Art. 19. with *Denmark*, Art. 7. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{13}{23}$*d Feb.* 1673-74.

My Lord,

SINCE our laſt that we had the Honour to write to your Lordſhip, which was of the $\frac{10}{20}$*th* Inſtant, by Mr. *Smith* the Expreſs, the Dutcheſs of *Zymmeren* and the Princeſs of *Naſſau* paſs'd thro' this Town *incognito* for *Zymmeren*; and the Evening before they went away, the Dutcheſs ſent us by a Gentleman the two Letters incloſed; the one for his Majeſty, and the other for his Royal Highneſs: The Dutcheſs being in much Haſte and Diſtraction, upon News ſhe had received, that the Prince Elector *Palatine* had ſeized (as her Gentlemen reported it) both upon her Dower, and Part of her late Husband's perſonal Eſtate about the Houſe; particularly upon his Stable of Horſes, in which (it ſeems) he was very curious.

The ſame Evening, which was *Tueſday*, the Count *Tott* acquainted us, that the *Dutch* Ambaſſadors preſſed them the Mediators very hard, that they would either prevail with us to proceed with them in the Treaty, or elſe that they would obtain from us a Declaration in Writing, why we did it not: He ſhewed us then the rough Draught of a Letter, which he intended to write to the *Dutch* Ambaſſadors, in Anſwer to the Inſtance they had made for our Proceeding; but having varied from it, he ſent us yeſterday a Copy of his ſaid Letter; the Tranſcript whereof we here incloſe to your Lordſhip: Upon this Letter we took the Liberty of taking our Exceptions to that ſoft Way, that they, the Mediators, did make uſe of to expreſs themſelves in, upon an Incident of ſo much Horror; not forgetting to repreſent unto them, that tho' the King our Maſter was concerned to take notice of it, as one of the Princes that were Party to this Aſſembly; yet that we thought the King of *Sweden*, as Mediator, and conſequently the Guarand of the *Publick Faith*, and of the Surety of all publick Miniſters here, had a more particular Intereſt, and ſo had his Miniſters, to reſent it, in purſuing after the Offenders, and to ſee Reparation done, then it would become thoſe Ambaſſadors who appeared as Parties to do; in Regard this Place muſt be ſuppoſed a Place of Surety, by his Care and Proviſion principally, and next by the Acquieſcence of the Princes concern'd, and by their Reliance on his Care. The Count was preſſed by the *French* Ambaſſadors and ourſelves, to make a more diligent Search after thoſe (eſpecially of the Garriſon) who had been Parties and Complices to this Action; ſince the Magiſtrates, for the better excuſing themſelves, were apparent-

apparently too loath to preſs upon any Diſcovery as might make them in any wiſe ſeem conſcious to this Violation: We therefore deſired them to enquire particularly into the Grounds of thoſe Reports which are ſpread up and down this City, that there were ſeveral hundreds of Men in Arms, diſpoſed of up and down, to make good this Action, in caſe of any Reſiſtance ſubſequent to it: And alſo, that ſeveral Parties were ſeen to go up and down the City with naked Swords, immediately before this Action: But the Mediators complain, they do want thoſe particular Informations, and diſcharge themſelves upon the Baron *de Fraines*, Councellor to this Elector, from whom they expect thoſe Informations that may give Ground to their further Enquiry: In the mean Time they, the Mediators, think they have acquitted themſelves fully, in that they have ſent their Secretary Expreſs (with Inſtructions the moſt particular that can be) to their Miniſter *Puffendorf* at *Vienna*, and written to the Duke *de Bournonville*: A Copy of the Letter to the laſt, we ſent to your Lordſhip by the Expreſs.

Count *Tott*, in his Converſations ſince our laſt, hath been very full in repreſenting unto us, that the Inclinations of *Sweden* are now very diſtant from engaging in the Quarrel of *France*: He ſays, that if they do ſo, the *Dutch* will quickly ruin them at Sea; (ſuppoſing *England* to be taken off by a ſeparate Peace) he added, that the *Dane*, if he receives but a handful of Money (as his Expreſſion was) from the *Dutch*, will ſo infeſt them, as to diſable them, the *Swedes*, from appearing conſiderable in *Germany*; that the King their Maſter ſhews no Forwardneſs at all to enter into this War; and therefore that it would ill become them, the Mediators, to repreſent him angry, when he means no ſuch Thing; and that their Miniſter [*Lang*] having ſpoken with ſome Freedom at *Ratisbone*, is diſavowed by the King their Maſter, who hath promiſed the Emperor not only to revoke, but to puniſh him; which the Mediators reckon as an Argument of a more than ordinary Temper, which *Sweden* hath of late admitted into its Councils, and conſequently a Rule fit for them to govern themſelves by in this Juncture: Another Thing he gives an Inſtance in to the ſame Effect, *viz.* That the Senate hath declared, that the *Degâts* and Pillages which the *French* have committed in the Empire, their ſeizing and demoliſhing ſeveral ſtrong Places, and their laying in hold ſeveral great Men, Members of the Empire, is a direct Violation of the Treaty of *Munſter*, and conſequently an abſolving of them, the *Swedes*, from any Obligation to act in the *French* Quarrel.

The Count hath been pleaſed to deliver himſelf very much in Juſtification (to ſay no more) of our forbearing to treat, or to act any further, upon this Incident of Prince *William*, ſaying, that however he and his Collegue differ in their Opinion, as to the Meaſures which it becomes them, as Mediators, to take upon this Incident, yet that we could not juſtify it to our Maſter, or to the World, if we had made any Step after ſo open a Violation; 1. Upon the Security of this Place. 2. Upon the Publick Faith given by the Emperor. And, 3. Upon the undoubted Right of this Elector, a Prince of the Empire, and without Diſpute, as capable as any other to conſtitute a Plenipotentiary for a Treaty of Peace, and having the Honour to be particularly allied to the King our Maſter.

The Count ſeems fond of a Notion he hath entertained ſince this Incident, which is to propoſe a Plan to all the Parties in War for a general Peace: The firſt Article of which is to be, the Reſtitution of Prince *William* with all Honour, as a Condition to be ſuppoſed and

compleated, before any further Step be made: The next is, the granting of the *Lorain* Passports by the Most Christian King: He hath named no more to us, nor does it appear that the *French* Ambassadors, or any of the Ministers here, give him any Encouragement to make this Plan in this Conjuncture.

As to his Majesty's gracious Pleasure, of continuing us here any longer after that the Peace is finished at *London*, we have not that Prospect into the Usefulness that we or any other Ministers may be of, as to be able to give your Lordship any Opinion in a Matter of that Moment. This only we shall, with all Humility, take Leave to say, that we are in the perfectest Degree of Resignation possible to his Majesty's most gracious Pleasure, and that we are apt to think, that neither the *French* nor the *Spaniards* have any serious Expectation of a Peace from this Congress, before they have tried the Fortune of the Campaign at least coming on, if not of more; and therefore that it is possible, the House of *Austria* would be willing enough to have it broken up, because it fetters the Councils of the *Tiers*-Party: The *French* also, in all Probability, would be of the same Mind, and would break off on this Incident of Prince *William*'s, because it gives a Pretence to *Sweden*, *Bavaria*, and *Hanover*, not to enter into Action, as they are oblig'd by their Pensions from, and Engagements to *France*. It is true, *Sweden* hath an Interest the Congress should not be broken up, partly in Regard of their Honour, in the Success of this Mediation, but much more, in that it will excuse them from arming as long as it subsists; and we are apt to think, the *Dutch* also will be Well-wishers to the Continuance of it, because they may have some Hopes (while this Assembly is not dissolved) of extricating themselves from their present Party in the War with *Spain*, which is not very agreeable to their Interest; so that, with Submission to your Lordship, we do humbly conceive the Measures of our Usefulness here will be best taken from that Figure which the *Swedish* Ambassador M. *Sparr*, and the *Dutch* Ministers, after that the Peace is made with them, will desire his Majesty to take in this Congress, *&c.* which the World here does judge will be extreamly considerable, and most effectually contributing to the general Repose of *Christendom*.

The *French* Ambassadors do not discover any Sourness towards us, upon the News that spreads itself here, of a separate Peace ready to be closed up between us and the *Dutch* at *London*: Nay, they have, upon several Occasions, taken our Part against Count *Tott*, who is apt to censure the Proceedings at *London* very severely; telling him, that our Master hath done his Part in the Alliance as long as he was able; that nothing but the Necessity he is under, and the utter Disability of doing any thing further without the Aid of the Parliament, would have taken him off: That, on the other Side, *Sweden* (as they tell Count *Tott*) hath done nothing all this while; and the failing of *Sweden* to do as it was obliged on its Part, hath been one principal Cause that hath forced the King our Master to leave the Alliance, which would have been in a better Prospect, and a better Posture than now it is, had *Sweden* as well as *England* done its Part.

The Baron *de L'Isola* came to Town last Night, having taken *Bonn* in his Way, where he had a private Conference with Prince *William* of two Hours long. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{17}{27}$*th Feb.* 1673-74.

My Lord,

THE last we presumed to trouble your Lordship with, was of the $\frac{13}{23}$*th* by the Ordinary of that Day, since which we have the Honour of your Lordship's of the *6th* Instant, wherein you are pleased to give us an Account, how hard Matters pressed on all Hands, for an immediate Accommodation with *Holland*, and that separate from the rest of the Allies, and to be forthwith concluded on that Side; that the States bewailing themselves of the unhappy Conjuncture of Things at Home, had pursued their Point to that Degree, that without expecting what had been the Issue of their former Letter which had carried the Proposals, much less of a following one, by which they had desired Passports for certain Ambassadors, to go and conclude the Peace at *London*; they had in all Haste dispatch'd a Power to the *Spanish* Ambassadors, to treat and conclude a Peace out of Hand upon the Place: that his Majesty upon this Notice had appointed Commissioners to enter into Treaty with him; that the next Day the Conferences were to begin, and that in all Likelihood the Matter would be quickly concluded, so as that there remained little for us to do, but to give Communication of this to our Allies here, and to try to get it digested the best we could by them: It happen'd, as we have heretofore intimated to your Lordship we hoped it would, that this was no more than what all the World here had been already for some Time prepared to hear; and accordingly, coming in Obedience to his Majesty's Commands to give formal Communication of it to the *French* Ambassadors and the Mediators, we found them both to receive it with great Calmness and Temper, not the least Shew of Surprize or Discontent: On the contrary, preventing us in all we could say, of the invincible Necessity that had obliged his Majesty to do what he was doing, and declaring themselves infinitely satisfied of his Majesty's great Honour and Generosity, in having withstood thus long so great and violent a Storm in his Affairs at Home: that they would not fail, according to their Duty, to give a speedy Account of it to their respective Masters, who, they doubted not, would make the same Interpretation of it. The *French* Ambassadors, to do them Right, were so far from murmuring in the least, at what was like to happen on our Part in this Business, that they fell into Expressions of the greatest Sense and Tenderness imaginable, for the Condition of his Majesty's Affairs, that had obliged him thus to do a Thing, which all the World, they said, saw was so infinitely contrary to his Nature, adding, that nothing in this whole Matter would more sensibly touch the King their Master, than to see to what Degree his Majesty's Affairs at Home had been exposed, for the Sake of this Alliance; with many more Reflexions of the greatest Civility and good Manners imaginable. The Mediators were likewise on their Parts full of extream Respect to his Majesty's Honour in all this Matter, not the least Cloud or Reserve that we could perceive in all their whole Conversation upon it, they only added, that they hoped his Majesty would please to think of some Way, when his own Peace was made, of serving his Allies, to the making of theirs, as far as well might be; and of contributing in such Way and Manner, and under such a Figure, as his Majesty should

ſhould judge the Matter capable of, for the bringing about the general Peace; which we anſwer'd, they might aſſure themſelves of; and that the firſt Thing his Majeſty would think of, conſidering the Neceſſity of his Affairs had not ſuffered him to do juſt what he was otherwiſe oblig'd to, and which in his own Heart he would have deſired above all Things to have been able to do towards his Allies; that the next Thing which his Majeſty would think of, would be, what and how he could do any Thing elſe for the Service and Advantage of their Intereſts, in Order to a ſpeedy and an honourable Peace. In which therefore, we ſaid, his Majeſty would be glad to underſtand their, the Mediators, Judgment and Opinion; and that in the mean Time, as far as we could yet judge, his Majeſty's Mind was not immediately to call us hence, even tho' his own Peace was concluded; in Caſe he could ſee our Stay here would be any Way uſeful to thoſe Ends. We paſſed from hence to give the ſame Communication to the Miniſters of our other Allies, the Elector of *Cologn* and the Biſhop of *Munſter*; the former, the Baron *de Freines*, a Councellor to the Elector, and one the Elector principally entruſts in theſe Matters, in the Abſence of the Biſhop of *Straſburgh* and Prince *William*, we have not been able to find at Home, ſo as to do it in Form; but we have taken our Opportunity, as we have met with him in Converſation at Prince *William*'s, to tell him, what the Condition of his Majeſty's Affairs are, what his Majeſty is doing in Relation to his own Accommodation, and what the Extremity is that hath obliged him to it. The like we did to thoſe of *Munſter*; and in both Places found, that we ſaid was no News to them; they had already, from the Appearance of Things theſe three laſt Weeks or Month, concluded this would be, in all Likelihood, the Iſſue of the Thing on our Side at laſt; and therefore the Commander *Deſmiſing*, whom we found juſt arrived from *Coeſvelt*, where he had been theſe three laſt Weeks or Fortnight with the Biſhop of *Munſter*, told us, that their Maſter having already foreſeen this would be the Caſe, had order'd him now, upon his Return, humbly to recommend it by us to his Majeſty, that he would pleaſe, by his Interpoſition and Offices, in ſuch Way and Manner as ſhould be found moſt proper, and particularly by that Authority and Influence, it is judged, his Majeſty will have henceforward with the Prince of *Orange*, to aſſiſt him (the Biſhop) in obtaining a reaſonable Peace; that is, ſaid he, tho' it is not to be expected it ſhould be in any Degree an advantageous one for the Biſhop, conſidering the State Things are at preſent brought to, yet at leaſt, that it be as fair and reaſonable as may be; which he ſaid, the Biſhop his Maſter promiſed himſelf the rather from his Majeſty's Favour and Goodneſs, in that he the Biſhop had never been brought by *France* to engage in this Alliance; but that he was firſt aſſured of his Majeſty's coming into it: That no other Conſideration would have ever been able to have brought him into that Engagement. Upon the whole Matter, we have not found, upon the communicating of what is doing in this Matter; but that all our Allies appear very fair and reaſonable in the Thing, not the leaſt Murmuring or Expoſtulation upon it: On the contrary, they ſeem all very ſenſible of the unhappy Neceſſity his Majeſty's Affairs at Home have brought him under, abſolutely to do what he does, and to ſeem Content to bear their Part in the Misfortune. As to what remains, the *Swedes* and our inferiour Allies, as well as the Miniſters of the *Tiers* Party and neuter Princes, ſeem to hope, his Majeſty will however pleaſe to think of doing ſome Thing in ſome other Way, towards the bringing off of his Allies by a general Peace,

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if by any Means it may be had; but do not say particularly how, and what it is, they would desire from his Majesty towards it: The *French* Ambassadors do not so much as desire any Thing of that Kind, but seem to leave all that may concern our Interests after the separate Peace is thus made, to the Court to consider of; not being, that we can perceive, otherwise particularly instructed in the Thing.

As to the Affair of Prince *William* of *Furstemburgh*, the Matter continues still as it was in our last; he himself remains close Prisoner at *Bonn*, till the Express returns from *Vienna* with further Orders: The Town here in the mean Time going on, but very coldly and slowly, in the Examination of the Business, in Order, as they pretend, to the giving that Satisfaction that depends on them, to the several Kings and Princes interested in the Violation committed in that Attempt. In the Interim, the several Ministers here are expecting Orders from their respective Masters, how to behave themselves upon so great and extraordinary an Accident, not daring to venture, in Case the Negotiation were otherwise open for it, to make any of them one Step in Business after so foul an Attempt as this appears to be, upon the Honour of all the Princes interested in the Assembly, till they have express Directions in it; and yet notwithstanding that this has been declared again by the Mediators, to be the Judgment and Resolution of the publick Ministers here, yet the *Dutch* Ambassadors continue still to press the Mediators, by new Letters, (a Copy of one of which your Lordship will receive here inclosed) that we would proceed with them in our Negotiation here; the Mediators have thought fit of themselves to return the same Answer they had already several Times given them, *viz.* That the Accident befallen Prince *William*, was looked upon as of so very high and extraordinary a Nature, that the several Ministers here, and we among the rest, had found fit to dispatch away Expresses with the Notice of it to our respective Masters, in Order to receive their Pleasure for our Government upon it; and that till the Return of those Couriers, it was not thought fit or safe to proceed further in any Kind of Business. We could not but take notice to the Mediators, when they told us of this new Letter, that it appear'd very strange and odd, in that the *Dutch* Ambassadors, at the very same Time when the States had, as every Body saw, forced this whole Negotiation into a new Way, to be finally transacted at *London* by the Means of the *Spanish* Ambassador, to that Degree, that their Ambassadors here had above ten Days ago communicated up and down the Copy of the States Power to the said *Spanish* Ambassador to that Effect; that at the same Time, the said Ambassadors should yet pretend to press, with so much Seriousness, to have the same Thing done here. We said this looked very odd, and we could not imagine how they, the Mediators, could judge it to be at all serious or in earnest. They agreed it was evidently but a Grimace, and little better indeed than a Mockery, and that it seemed intended by the *Dutch*, to value themselves to the World, and particularly to the Mediators, that they were not the Cause of carrying the Negotiation from hence; but that they had much rather, as well in Honour to the Mediators, as in Hopes of thereby bringing on the general Peace, that the Thing might have been finished here. This the Mediators are satisfied is their Design, in this affected Earnestness to proceed here, but at the same Time declare themselves sufficiently sensible on whom this is to be charged; and that his Majesty has abundantly justified himself, and the Regard he had

had for the Honour of the Mediators, as to the Point of keeping the Treaty here, in the Answer he first made to the *Spanish* Ambassador's Memorial upon this Matter. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{20\ Feb.}{2\ Mar.}$ 1673-74.

My Lord,

On *Tuesday* the $\frac{17}{27}$*th* Current, soon after that the Ordinary with the Letters, which we had the Honour that Day to write to your Lordship, was gone, the News of the Peace, concluded and signed between his Majesty and the States General on the $\frac{9}{19}$*th*, spread it self in this Town, having been published by a Courier that passed, as it was said, from the Marquiss *del Fresno* to *Vienna*; we could not perceive that it did Alarum any Party here, all Men having already digested it in their Expectations: We for our Parts have very great Gause to rejoice, that a Matter so weighty hath been taken out of Hands so weak as ours are, and hath been transacted by those most honourable Persons, under his Majesty's immediate View, and gracious Directions; which was an Advantage, as we must have wanted here, so we must without it have fallen short in some Things, which might have been expected from us: We have now no more then to attend his Majesty's most gracious Pleasure for our Revocation, and to beseech Almighty God, the Treaty, in the Progress and Execution of it, may prove more and more to his Majesty's Satisfaction and Joy, and that his Subjects may learn by this and other Instances (which are innumerable) of his Grace and Clemency, to conform themselves to a Temper of Obedience and Zeal for his Service, that may bear some Proportion with his infinite Tenderness for his People.

Yesterday the *Dutch* Ambassadors sent us two Gentlemen, to communicate to us a Copy in Print, of the Letter of the $\frac{10}{20}$*th* of *February*; whereby his Majesty was pleased to notify to the States their Masters, the Conclusion and Signing of the Peace, and desiring an Hour, in which they might come and congratulate us: at three in the Afternoon, we had their Company for half an Hour. Messieurs *Beverning* and *Isbrants* (there are but those two in Town) were very large in their Congratulations with us, but not so respectful in their Language of the Most Christian King, as we thought would have become them: They wished, they said, that our Treaty had been finished here, but were glad it was done any where; so great was their desire of a Peace with *England*: They did profess, Peace was it they lock'd after, saying, that it being contrary to their Interests to make Conquests, it could not be possibly for their Advantage to make War; they will, they say, hereafter contract themselves in their Frontiers; this last War having sufficiently demonstrated to them, the Weakness of those Councils, that had lead them to entertain so many Garrisons to so little Purpose. This Day we intend to render them their Visit.

There hath happen'd here another Accident, which discovers more and more, how far this Place is from that State of Neutrality it pretends to: For the *French* Ambassadors, and the Elector's Ministers, having concerted to send considerable Sums of Money, *viz.* the *French* 48000 Crowns, to their Garrison at *Wesel*, and other Places on the River, the Elector another Sum (we know not yet precisely what) to the Troops in

in his Service; the Moneys were loaded upon two Carts, and in Barrels that were pretended to be Brandy: The Cart where the Elector's Money was, passed out at one of our Gates, without any Stop made or Questions asked, and got safe to a Convoy of 600 Horse, that waited for the Money not far from the Gates. The other Cart, with the Money of the *French*, was stopp'd by the Soldiers in the Gate, *first*, under a Pretence of enquiring what it was loaded with; *Secondly*, By a downright Seizure; and the Cart was driven back to *Kilmanseck*'s House, who is the Commandant here of the two Regiments, the one of the *Imperialists*, and the other of the *Westphalian* Circle; there the Money now lies; and having been demanded of *Kilmanseck*, he excused himself, and said, he was to follow the Orders of the Baron *de L'Isola*: Count *Tott* having been with the Baron, received this Answer, that he could do nothing in it without the Orders of the Emperor: And this, as it gives sufficient Resentments to the *French* Ambassadors, so it puts the Town into the greatest Perplexity imaginable; this Money having been seized within those Bounds, wherein they are obliged to provide for the Protection and Indemnity of one Side as well as the other: The one Party in War having no other Security for his Life from the Attack of his Adversary, than what he hath for his Goods from Violence; which is the Neutrality of this Place.

JUST as we are closing this Dispatch, MY LORD, we have the Honour to receive your Lordship's of the 13*th* by Mr. *Frances*; as also another of the by the Ordinary, both which we acknowledge with the humblest Thanks possible. We dare not promise ourselves, that the Ordinary of this Day hath now so many Minutes left to stay, as the putting of your Lordship's by the Express out of Cypher will necessarily require: We therefore humbly take Leave to reserve ourselves upon it till the next Day; and to add no more to this, but that which is newly come to our Knowledge, *viz.* M. *Magalotti*, a Gentleman of the Bedchamber to the Great Duke of *Florence*, who hath spent some Months in this Place, and is, if we mistake not, very intimate with the *Imperial* and *Spanish* Ministers here, hath, about two Days ago, *viz.* since the first News of the Peace, told Mr. *Chaidleygh*, that M. *de Lyra* had expressed himself to him, as if *Spain* would be very glad his Majesty would please now to enter into the Mediation. This he made no Secret of, but seemed to M. *Magalotti* to have let himself into this Discourse, that he might hand it to us, he adding, that he intended to intimate it to us, if any Occasion had offered itself. We are, *&c.*

To the Earl of *Arlington*.

Cologn 24 Feb./6 March 1673-74.

MY LORD,

BY our last, which was of the 20 Feb./2 March with the Ordinary of that Day, we had only Time to acknowledge in the general, the Honour of your Lordship's of the 13*th* of *Feb.* by Mr. *Frances*, who arrived Express in the Moment we were closing that Dispatch: As to the two Things his Majesty is there pleased to give us in Command, *viz.* the discovering, as far as we can, to what Degree the Parties remaining in War are disposed to accept of his Majesty's Interposition and Offices, in order to a general Peace; and next, how and by what Figure we could most decently offer ourselves, towards the strengthening of the

Mediation in this Congress; which is what his Majesty seems to desire, in case the Matter appear otherwise prepared for it: We have made it our Business what we could, to find out what is the Mind and Sentiments of the several Parties as to a general Peace; and tho', as we have heretofore touched to your Lordship in some of our late Dispatches, as well the inferior Allies, as the Mediators and the *Tiers* Party, appear very earnest for it, and particularly that his Majesty would please, now his own Peace is made, to interpose his Offices towards the Work; yet we cannot find that the main Parties in the War, *viz.* *France* and *Spain*, are hitherto in any serious Disposition to it; at least, by all we can hitherto gather from their Ministers here upon the Place, they, the Ministers, are without any Instructions in the Point; which those of *France* think, we are intimate enough to conclude, that as yet they do not indeed know their Master's Mind as to the main, whether and how far, as Things now stand, he would be willing to have the whole Matter made up by a speedy and a general Accommodation; or whether he would not rather, as a Point of Honour, he single (for so he is in a Manner like to be) proceed to try the Fortune at least of one Campaign, rather than presently come to a Peace, which he might apprehend, would look in the World as if he had been aw'd into it; and, as far as we can judge, the *French* Ambassadors are of an Opinion, their Master will not come finally to any Mind in this Point, without a Communication first had with his Majesty; and that therefore his Majesty will be able to know what is the Resolution of *France* in the Thing, much earlier and clearer on that Side, than we can be able to learn it here: As to *Spain*, we are yet so new in our Converse with all that Side of the Assembly, that we cannot possibly come to learn any Thing of their Inclinations in this Matter: We have endeavoured to pursue the Hint, we told your Lordship in our last, we had received by M. *Magalotti*, of what M. *de Lyra* should have said, as to that Crown's being desirous his Majesty should undertake the Mediation of their Interests in the remaining Negotiation; we have laid out the best we could, to learn what the Bottom of this might be, but hitherto we cannot find any Ground to make any great Reflexion upon it: We shall, however, continue with the best Care and Skill we have, to inform ourselves further of it, and give your Lordship the best and earliest Account we can of what we learn. Count *Tott* told us last Night upon this Occasion, that by all he can judge from M. *Beverning*, whom he observes to have been very sincere all along in these Matters, *Holland*, *i. e.* the States themselves, are certainly inclin'd to come out of the War as soon as they can, and that by a general Peace; that as the most likely Way of bringing *Spain* (in case it should otherwise presume on the Advantage of this Conjuncture, and rather be for continuing the War) to hearken to a fair and reasonable Peace, would be to bring *Holland* heartily to desire it; so nothing but the Instances and Authority of his Majesty with the Prince of *Orange*, would certainly work that Disposition in *Holland*: And that, as the Count told us, was one Way the World judges the King our Master may be principally instrumental toward the General Peace. Another he told us, by enclining *France*, on the other Hand, to give a reasonable Peace to *Spain* and *Holland*, *i. e.* such a one as that Party, upon the late Changes happen'd in Things, apprehend they have Reason to expect. These are the great, and indeed only Difficulties, upon which this Work of the General Peace seems to depend, *viz.* to dispose one Party to give a reasonable Peace, and the other to receive it; towards both which we apprehend the

the Mediators find the King may very principally contribute, by his great Credit and Authority with the Most Christian King on the one Hand; and through that Influence the World believes all his Interpositions with the Prince of *Orange* must needs have, on the other Hand. And this is all we are able to learn of what it is that would be desired from the King our Master, towards this Work of the General Peace, or in what Way. We have omitted no Occasion of calling upon the Mediators, as well as upon those Parties that have appeared desirous of his Majesty's taking a Part in the Mediation, to think how and in what Way they would propose to have his Majesty enter into the Thing; but have not been able hitherto to receive any kind of an Account from them, other than in the general, that they desire infinitely his Majesty would be pleased to interpose in it; but still, as to the Particulars of the Figure, Way, and Manner of his Majesty's interposing, they leave that to his Majesty's own Judgment and Pleasure, which is all we have been able to draw from them; and we were somewhat surprized to find by the Count *Tott*, that even M. *Sparr*, who we concluded would have been very particular and express in that Point, is not like to say much more on that Side in the Thing.

Yesterday M. *Spanheim*, the Elector *Palatine*'s Minister, came to see us: The Occasion of his Visit, he told us, was by Order of his Master, to acquaint us with the sudden and extraordinary Violence done him by the Troops of *France*, in the surprizing of his Town of *Germersheim*, situate on the *Rhine* 2 or 3 Hours from *Philipsburgh*. The Story at length he told us was this: His Electoral Highness having had Cause, for these last 8 or 10 Months, extreamly to complain of the Spoils and Ravages committed by the *French* Troops, in their Marches and Countermarches through his Country, and having, by his Minister in the *French* Court, several Times made his Complaints of those Abuses, the Marquiss *de Bethune* (the same that it seems was employ'd heretofore in that Court, for adjusting the Article of the Marriage between M. and the young Electoral Princess) was some Weeks since sent to *Heydelburgh*, in Quality of Envoy from the Most Christian King, to give his Highness Satisfaction in the Point; being arrived there, the only Propositions he made were two:

1. As to the Reimbursements, and Reparation for the Spoils done his Electoral Highness's Countries by the *French* Troops, he assured his Highness, it had been absolutely without the King's Knowledge, and contrary to his Mind; but that, as to the Satisfaction, his Majesty thought it was but reasonable, that seeing the *Hollanders* had been the Occasion of carrying this War into the Empire, that they should be looked upon as answerable at last for these Damages.

2. The other Point he proposed was, for a Neutrality to be established henceforward in all the Elector's Territories; which he demanded might be done on such Terms, as that a free Passage might be from Time to Time granted to the Troops of *France*, but denied to those of the Emperor. This M. *Spanheim* told us, were all the Propositions the Marquiss had made in that Court. To which his Electoral Highness had answered:

1. That as to the Assignation he seemed to give him, the Elector, upon the *Hollanders*, for a Reparation of the Spoils committed by the *French* in his Countries, he could not look upon it as spoken in any Degree seriously; but must take Leave to say, it was a Raillery. It could not be expected *Holland* should be answerable for so many vast Spoils and Ravages, as had been committed by the *French* Troops in Ger-

Germany; or if they were, it were a strange Way about to send him, the Elector, to procure himself Reason from them; and therefore he must beg Pardon, if he look'd upon that as a Jest put upon him. 2*dly*, As to the Point of Neutrality demanded from him; his Answer was, that he desired to remain a most humble Servant to his Most Christian Majesty, and resolved not to do any Thing to forfeit his Majesty's Favour and Protection; but he did not see how he could in any Kind of Reason enter into the Engagement offer'd him, under the Condition it was offered; that it seems a Contradiction to the Nature of Neutrality, to refuse that to one of the Parties in War, which was granted to the other.

The Marquiss finding this in Substance to be the Mind of the Elector, in these two Points, did immediately, in Execution of the Orders he had, it seems, brought with him from Court, give notice to M. *de Rochfort* and M. *de Vaubrune*, the *French* Lieutenant Generals in *Alsace*, of the Complexion he found the Elector of; upon which they marched presently with a Body of Men, and invested the Town and Castle of *Germersheim* above-mentioned; a Place, as they represented it, of no great Strength in it self, but of wonderful Consequence to the Security of those Parts, being the Key of *Alsace* towards the Empire, and a most necessary Post for the Security of *Philipsburgh*, in Case of a War in the Empire. This being known at *Heydelbergh*, the Elector fell into a great Passion with the Marquiss *de Bethune*, that he could not but wonder at so open and avowed a Violence; and particulary at a Time, when the Most Christian King had a Minister arrived in his Court, with fresh Expressions of extraordinary Friendship and good Will for him the Elector and his Interests: Upon this, the Marquiss was obliged to tell him the whole Secret of the Thing; which was, that the King his Master had received certain notice, of a Treaty sign'd between him, the Elector, and the Emperor, of the 14*th* of *January* past; by which, as he said, the Elector had obliged himself, 1. To receive 2000 Horse and 500 Foot of the Emperor's Troops into his Country, those Troops to be paid by the Emperor, till Contributions should be settled to pay them otherwise. 2. To give Passage from Time to Time to the Emperor's Forces, and to refuse it to those of *France*. 3. The Emperor to give him a Subsidue of 50000 the one half payable immediately upon the publishing of the Emperor's Letters Avocatory (as they call'd them) in the Elector's Territories, and the remaining Moiety, when the Emperor should actually break with *France*. And *lastly*, That for the Performance of these Articles, the Town of *Germersheim* should be put into the Emperor's Hands. This Agreement the Marquiss told the Elector, his Master had received a certain Information of, and indeed a Copy, which he said he had then by him, for the greater Justification of the Thing; and upon this it was, he said, the King had sent him to try how far he could be able, by the Offers he had made, to draw him from those Intentions, and to fix him in the Friendship and Alliance he had so long had with the Crown of *France*; and which he had hoped had been much more strongly confirmed, by the late Tye of Marriage between Monsieur and the Electoral Princess; but having found, that no good was to be done in it; that his Highness appeared resolved on the Councils he had already taken in that Matter; he own'd the King his Master, to prevent the Design of the Emperor in the Thing, had given Order for the doing what was done in the Matter of *Germersheim*, &c. To this the Elector answered, 1*st*, That it was absolutely a Mistake, that he had signed or treated

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any ſuch Agreement with the Emperor, he had never any ſuch Thoughts, only it was true, that finding the infinite Spoils and Waſts committed by the *French* Troops, in their Marches throw his Territories this laſt Year, he had (as the ancient Conſtitutions of the Empire, and the Peace of *Munſter* warrant, and in ſome Sort direct the Princes of the Empire to do in the like Caſes) written to the Emperor, that the neighbouring Circles of *Franconia* and *Swabe* might be ordered to give him ſuch Part of their Troops, as he ſhould from Time to Time deſire for the Security of his Countries: This, he ſaid, he own'd to have done, by Virtue of the ancient Conſtitutions of the Empire, and purſuant to what is provided by the Peace of *Munſter* in that Caſe · and that the Marquiſs might ſee what it was he had done, the Elector at the ſame Time delivered him a Copy of the Letter, he had written to the Emperor on that Matter. 2*dly*, The Elector told him, that whatſoever it was the Moſt Chriſtian King had been informed in that Buſineſs, he could not but think, the Way and Manner of that Proceeding a little ſtrange, that the ſame Time he had his Miniſter in his Court, full of the greateſt Profeſſions of Kindneſs and good Will imaginable for him the Elector; and particularly inſtructed, as it now appear'd, in this very Point: That the Moſt Chriſtian King ſhould yet proceed to ſo violent an Execution as this was, without having firſt taxed him, the Elector, with the pretended Treaty and Agreement with the Emperor, and hearing what he had to ſay for himſelf upon it. This, he ſaid, he could not but think a very extraordinary Way of Proceeding, towards a Prince that had been ſo long and ſo heartily engaged in the Intereſts of the Crown of *France*, in that Part of the World. This M. *Spanheim* told us, was what had paſſed in the Thing, of which the Elector had commanded him to give us this particular Account, with a Deſire that we would repreſent it to his Majeſty for his Information, that when the Matter ſhould come to be ripe for it, his Majeſty would pleaſe to own him the Elector with his Protection and Favour, in Order to his Reparation for this, among many other Violences he hath ſuffer'd of late from the *French*. We had had the ſame Story told us two Days before by the *French* Ambaſſadors, with theſe only Differences; that as to the Point of Satisfaction for paſt Spoils, tho' the M. *de Bethune* had in general Diſcourſe in publick, charged it in a Manner upon the *Hollanders* to make Satisfaction for it; becauſe they, the *French*, would not have it paſs in the World, as if they did not look upon it as their Right in Time of War, to take Paſſage wherever they had Occaſion; yet that underhand, and in private, he had made the Elector underſtand, the King would take Care for a reaſonable Conſideration to be had of the Spoils committed. And then, as to the Treaty with the Emperor, that moſt certainly the King had received by a ſecret Way a Copy of ſuch a Thing, and upon that Ground had proceeded to do what was done; that M. *de Bethune* had produced a Copy of the Treaty to the Elector and his Miniſters, that when the King could be aſſured of what the Elector pleaded for himſelf, that there was no ſuch Thing, that the Miſchief would not be great, it would be but the withdrawing of his Troops, and rendring of that Place, which his Majeſty was in that Caſe moſt ready to do. This is one of thoſe many Incidents, which we find happen daily on every Side, to the Difficulting any general Accommodation, which might be otherwiſe hoped for or endeavoured; and which, we do not perceive the Parties are any of them ſollicitous to have remedied.

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As to the Business of Prince *William*, it is not yet known what Answer the Emperor will make to the Mediator's Letter upon that Incident; it is said, there hath been much Difference of Opinions in the Councils at *Vienna* upon it: But that in all likelihood, the Emperor may excuse the Thing as not done altogether according to his Directions, as to the Circumstances of it; and particularly, that it was not known the Prince had the Character of Ambassador and Plenipotentiary; yet it it generally believed, now he has the Prince in his Power, he will hardly part with him, till the Peace be made; tho' some give out, he has been offer'd his Liberty immediately, on Condition this Elector will finally conclude his own Accommodation with the Emperor. In the mean Time, the Courier dispatched upon this Occasion by the *French* Ambassadors is returned from Court, bringing the King's peremptory Commands to his Ambassadors, by no Means to advance one Step in any Part of their Negotiation here, till the Prince be set at Liberty, and fit Reparation made to so many great Kings and Princes, whose Honours and Dignities are so deeply concerned in this Attempt. We take leave to send inclosed a Copy of that Circular Letter the Most Christian King hath written upon this Occasion to all his Ministers abroad; tho' we doubt not, but your Lordship will have already received a Copy of it from Sir *William Lockhart*.

We have been several Times called upon, as well by Mediators as the other Ministers here, to know what Instructions we have received from our Master upon that Matter. We have answered, that our Express with the first Notice of it, was but arrived the Night before the Date of our last Letters, so as there had not been Time for his Majesty to come to any Conclusion upon a Point of that Weight. Only we said, his Majesty had been pleased wholly to approve of what we had already, upon the first happening of the Accident, done here upon the Place, in refusing to proceed further in any Part of our Negotiation; which was the same the King of *France* had now signified, as his Instructions likewise to his Ambassadors.

The $\frac{20 \text{ Feb.}}{2 \text{ Mar.}}$ in the Afternoon, we returned the *Dutch* Ambassadors their Visit and Compliment, upon the happy News of the Peace; and this Day we have invited them, to finish that Ceremony at Dinner with us; believing it our Part henceforward to take another Figure in all our Conversation and Manner of Living, as well towards them and the *Spanish* Ministers, as towards those of the Emperor; yet still with that good Manners and Fairness that is fit towards the *French* Ambassadors, and the Ministers of our other Allies, who continue to carry themselves towards us with all the Generosity and Frankness imaginable, considering what has happened. We are, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{27 \text{ Feb.}}{9 \text{ Mar.}}$ 1673-74.

My Lord,

In our last of the $\frac{24 \text{ Feb.}}{6 \text{ Mar.}}$, we humbly took leave to lay before your Lordship, how little Light this Place affords us, whereby his Majesty may discover, *first*, how the Parties now in War are disposed to accept of his Majesty's good Offices, in Order to a general Peace: *Secondly*, How, and by what Means and Figure, we may most decently offer ourselves to strengthen this Mediation,

ation, for the keeping up of this Congress, which his Majesty seems to desire, since the Dissolution of it would render the Peace yet more distant and desperate than now it is. As to the *first* Point, we have not since our last, observed or heard any Thing hath fallen from the Ministers of *France*, or of the House of *Austria*, that might give us Cause to hope they are in any Disposition, on the one Side, to give what will be accepted; or, on the other Side, to accept what will be given, according to the present Standard of Affairs, rather than try the Fortune of this next Campaign.

The *French*, for their Parts, valuing themselves upon their usual Vigour, (joyned with the Experience of their Commanders) and not less upon the Advantages they have in being under one Head, and consequently in having (as it were) but one Heart: The Confederate Party, on the other Side, talk in all Conversations of the Invasions and Diversions they are like to make upon *France*, by their great Numbers, and of the *Odium* that flames out every where against the *French*: But the one and the other Party sufficiently discovering, that they have no Measures but those of War, at this present, in their Thoughts; and the rather, in that neither Side hath at this Time any thing to hope or fear from that *Tiers* Party, of which much hath been talked, and something expected about two Months ago. The *Dutch* Ambassadors did indeed, in a Conversation since our last, discourse at large to us, the many Accidents and Disappointments that both the one and the other Party may be subject to, this next Campaign; and therefore that it is sore against their Wills, that they, the *Dutch*, go on any further in this War: But they said, they can the better endure to do it, in that the more troublesome Moiety of their Embarras is taken off by the Peace with *England*; and that tho' they would readily embrace a Peace with *France*, yet they will not give one single Inch of their Ground to purchase it: So that of the Parties in War, the Bishops of *Cologn* and *Munster* are the only ones that speak out openly, and on all Occasions, their Wishes and Desires, that his Majesty would interpose his Offices, which they assure themselves cannot choose but be very powerful and effectual, as far as they are concern'd, in Regard of his Authority chiefly with the Prince of *Orange*; who, if he should please to dispose the States to give an honourable Peace to these two Princes, the Emperor, they hope, would have no further Pretence of Hostility against them.

As to the Beginning of this Assembly, and our assisting in it, which is the other Point; we have been told since our last, that the *Austrian* Ministers make that Judgment of *France*, and particularly of the Circular Letter which the Most Christian King hath writ the 24*th* past, to his Ministers Abroad, upon the *Enlevement* of the Prince of *Furstemburgh*, that they believe the *French* will not leave this Place, tho' the Emperor should persist not to give any Satisfaction in that Point: And that may be one of the Reasons, why the *Imperialists* are so little sollicitous as they are, to do right to the *French*, or rather to the City, for the Money seized on some Days ago by them in the Town-Gate; a Seizure as little defensible, even by their own Confessions, as that of Prince *William*'s *Enlevement* can be pretended to be; that Money remaining still in the Commandant *Kilmanseck*'s Hands. The *French* Ambassadors, on the other Side, seem to expect Orders for their leaving this Place, as soon as the Mediators here shall have an Answer to their Address to the Emperor, in case that Answer does not restore the Prince to his Liberty: They were indeed, before this Incident of Prince *William*'s,

liam's, so much in Assurance of their own Stay here, and of the Duke *de Chaulnes* Return hither, that they had sent for all Manner of Supplies from *Paris*, to be brought them hither when he came, and also had gotten the *Dutch* Ambassadors to procure from the *Hague* safe Conducts for his Passage; yet now they speak of his Return as a Thing they have wholly ceased to expect, indeed to think of, since that *Enlevement*. On the *Spanish* Side, tho' we have endeavour'd (from some Hints of M. *de Lyra's*, as we told your Lordship in our last) to discover their Sentiments of our assisting at this Mediation, and of our Master's Endeavours to continue it, all that we have been able to learn is, that since our last, M. *de Monterey* gives it out at *Brussels*, that we are to be recalled hence very suddenly: But M. *de Lyra* gives out, we are to continue here some Time, in order to keep up the Congress. The Mediators, on the other Side, are sufficiently troubled to see this Assembly languish as it does, but know not how to remedy it, nor what Figure *Sweden* is to take when this Congress is dissolved. They have not given us since our last, any Intimation they would be glad our Master did take upon him any Figure or Share in the Mediation of this Peace. The View they seem to have is, that his Majesty will enter into some Course of Neutrality, whereunto they may be admitted, and consequently may excuse themselves then as Neuters, (in the same Manner they are dispens'd with now as Mediators) from acting as Parties to the War: But that Plan, we suppose, (if they have any such) will be laid before his Majesty in its full Light, (for we have but Glimpses of it) when M. *Sparr* arrives on that Side.

We have nothing to add to what our last informs your Lordship of Prince *William's* Affair; the Express sent by the Mediators to *Vienna* being not yet returned, nor indeed any News of his Arrival there: M. *Puffendorff*, the *Swedish* Minister there, by his last Advices, saying no more, but that his appearing upon this Incident at that Court, was in the Strength of his own Reason, and not upon any Directions from the Mediators hence. He sends the inclosed Paper, as the Account whereby the *Enlevement* of the Prince was notified to the Foreign Ministers in that Court: We shall not trouble your Lordship with the Remarks obvious to every body upon the reading of it; only what is affirmed of the Prince his being a Vassal, in Regard of any Tenure or Matriculation in *Austria*, is taken here to be as groundless, as that where it is said he was not Ambassador or Plenipotentiary in this Congress. We are, *&c.*

À M. le Prince Landgrave *d'Hesse.*

à Cologn ce $\frac{4}{14}$ *Mar.* 1673-74.

MONSIEUR,

Il nous demeure un Regret tres-sensible de ce que nous n'avons pû rendre à V.A. pendant ce peu de sejour qu'elle fut derniermént en cette ville, tous les Respects qu'elle auroit pû attendre de Personnes tant obligées & mesme Charmées que nous l'estions de ses Bontez, & de ses beaux Entretiens: C'est pourquoy nous supplions vôtre Altesse tres-humblement, que la profonde veneration que nous avons concues, & que nous conservons tousjours, pour les grandes Lumieres qu'elle faisoit paroître icy dans les Conversations, aussi bien que la Rapport que nous sommes obligés de faire au Roy nôtre Maître, de tant de Bontez delapart de vôtre

vôtre Altesse envers nous, puisse passer pour quelque espece d'expiation à nos manquemens : & nous ne sçaurions mieux faire nôtre Cour au Roy, qu'en luy faisant voir que la mesme amitié & le mesme estime pour S. M. qui porterent V. A. autrefois à en donner des Preuves si genereuses & si eclatantes, se conservent tousjours en lui entier envers sa Personne; & le laissent pas de s'étendre par des Effets les plus obligeans du monde jusques à ceux, qui pour tout merite, ont l'honneur comme nous l'avons, d'estre au service de sa Majesté. Nous pâtissons, Monsieur, plus que nous ne sçaurions dirè dans ce qui est arrivé à M. le Prince *Guillaume* de *Furstemburgh*, non seulement en ce qu' une violence si estrange aura apparement des suites bien fascheuses, Mais aussi en ce que l'amitié particuliere qu'il nous faisoit l'honneur d'avoir pour nous, nous fait prendre part aux de'plaisirs qu'ont tous ceux qui par des liens personnels sont dans ses Interests. Nous prenons la Liberté, Monsieur, d'envoyer à V. A. les Escrits qui nous sont tombez entre les mains sur ce sujet avec le Traitté nouvellement conclu entre l'Angleterre & les Provinces Unies des-Pais-Bas. Et si quelque autre chose se present à l'avenir que nous puissions esperer agreable à V. A. nous ne manquerons pas de la Mettre entre les maines de Monsieur de *Weidenfield*, comme V. A. l'a ordonné : Et nous tâcherons de ne rien omettre de ce qui puisse contenter une Curiosité si Belle qu 'est celle de V. A. ou du-moins de faire voir en toutes les occasions qui se rencontreront la verité & la Passion avec laquelle nous sommes, Monsieur, *&c.*

To the Lord Ambassador *Lockhart.*

Cologn $\frac{3}{13}$ *Mar.* 1673-74.

My Lord,

WE have the Honour of your Excellency's of the $\frac{18}{28}$*th* past to acknowledge, but have nothing of Return from this Place to make to what you are pleased to communicate to us of the News of that Court: The Assembly here entertains itself wholly with an Expectation of what the Emperor will declare and resolve upon the *Enlevement* of the Prince of *Furstemburgh*; his Ministers here do more than intimate, he will avow openly, and take upon him to justify the Action; which, in all Appearance, will put a Period to our Negotiation here, and break up the whole Congress; the Most Christian King having already declared, he will call back his Ambassadors in that Case. We are, *&c.*

Postscript.

Just as this is closing, News is brought that Prince *William* was fetched away from *Bonne* on *Saturday* last, and carried to *Ermensteim*, whence he is to remove to *Vienna*; which is an Evidence the Emperor owns the first Violence.

To the Earl of *Arlington.*

Cologn $\frac{3}{13}$*th Mar.* 1673-74.

MY LORD,

SINCE our laſt, which was by the Ordinary of $\frac{27 \text{ Feb.}}{9 \text{ March}}$, we have none from your Lordſhip to acknowledge; nor has any Thing happen'd new, which may deſerve your Lordſhip's Trouble upon either of the two main Points, which we apprehend remain now in our Care to give ſome Information in, *viz.* whether, and how far, by what Figure, and in what Way, his Majeſty could moſt fitly interpoſe by us here in this Aſſembly, for the bringing on the General Peace; and how far the Parties intereſted are in a Diſpoſition to accept of his Majeſty's interpoſing in the Thing. Theſe we take to be the main Points remaining henceforward in our Care to give an Account of: We have made it our Buſineſs to make what Diſcoveries poſſibly we could upon this latter Head, *viz.* how far the ſeveral Parties are diſpoſed towards a Peace, or to accept of the Offices of the King our Maſter for the bringing it to paſs, but cannot find any Thing conſiderable to ſay upon it, beyond what we writ in our laſt: We find it taken for granted on all Hands here, that *Spain* is not at all deſirous, indeed willing, to come immediately to a Peace; *i. e.* it is apprehended on that Part, that the Conjuncture is now become ſo very favourable, eſpecially by ſeparating *England* from the contrary Alliance, that *Spain* ought not now to hear of a Peace upon leſs Terms, as to their own Intereſts, than the bringing back all Matters to the Peace of the *Pyrrhenées*: This is thought to be the Concluſion they have taken in the Thing, ſo long at leaſt as they can be aſſured of *Holland*'s ſticking to them; for it is judged, that all the Moderation that is to be expected on the Part of *Spain* in this Affair, will depend immediately upon the Mind and Complexion of *Holland*: Not but that all the World believes that Crown will have a very particular Regard, from many Reaſons, for the Mediation of his Majeſty, whenever he ſhall pleaſe to interpoſe his Offices with them in Order to a Peace; but that the only Thing that is like finally and certainly to govern *Spain* as to the Peace, will be the Plye *Holland* will take in the Thing: And this we find is the great and principal Point, in which the World judges, his Majeſty hath it in his Power to advance the general Peace, *viz.* by influencing the Prince of *Orange* (who, it is ſuppoſed, might otherwiſe, for the particular Intereſts poſſibly of his Charge and Poſt of Stadtholder, incline to the continuing of the War, as now the Party is formed) to incline to a Peace, upon fair and reaſonable Terms; which, if he ſhould do, it is not doubted but *Spain* would be obliged to come to the ſame Thoughts to: This is, as to what we find, judged to be the Mind of *Spain* in the Thing.

As to the Emperor, by all we can learn or diſcover, the Councils at *Vienna* are not hitherto come to any other Thoughts, as to the Continuance of the War, than what the Intereſts of *Spain* lead them to; *i. e.* that as to the Matter of a General Peace, the Emperor, as far as can be judged, will do as *Spain* ſhall find moſt uſeful for its Intereſts: Not but that ſome of the principal Officers of his Army, and even ſome of his Miniſters here in this Aſſembly, have been obſerved to let fall ſome odd Expreſſions, as if the Emperor would make Uſe of this Conjuncture, which they look upon as growing daily more and more favourable to

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their Interests, by the great Disgust the *French* Conduct of late gives in the Empire, for the retrieving the *Imperial* Power and Authority to that Point his Predecessors formerly held it in; and which, they pretend, is, by the ancient Constitutions and Customs of the Empire, owing to him; but this seems to be but Talk at Random, and without any particular Appearance of Ground for what is said: On the contrary, Things do not appear in any Degree advanced enough yet, for the Emperor to form any such distant Designs, which, when they should once come to discover themselves, and to be taken Notice of by the *German* Princes, would, it is conceived, create him such Opposition from within, in the Empire itself, that how fair soever the Posture of his Arms may seem at present, while the Pretence is against a stronger Prince, he would not be able to carry on any such Design as that is much further, should it once come to be discovered. So as, upon the whole, the Emperor is not thought to have hitherto expressly formed any Designs more than in the general, to support the Affairs of *Spain*, and possibly to raise him, for the future, some further Credit and Reputation to his Person and Government; which, it is said, is a Point of Honour he is of late much prick'd with: For as to those few Particulars, which are otherwise pretended to be charged upon *France*, with relation to the Empire, as the Matter of 10 Towns of *Alsatia*, the Fiefs of *Metz*, &c. they are judged to be such Points as could not much difficult the Peace, in case the Parties were otherwise really disposed to it. This is all we are able as yet to discover of the Mind of these two principal Allies, and that only by the occasional Discourses of others; not that the Ministers of either have hitherto been observed to touch any Thing upon this whole Matter. As to *Holland*, all we can yet learn of their Mind, by the few Conversations we have hitherto had with their Ambassadors here, is, that in the general they seem to wish and hope for a general Peace, and that in the greatest Measure by the Interposition and Offices of his Majesty; but they do not come to any Particulars, either as to the Terms upon which it might be reasonable for the Parties to hearken to a Peace, or of the Way and Manner by which his Majesty might contribute towards it. In the other Party, we cannot find the *French* Ambassadors are able to say so much, *i. e.* they are not able to say in the general, how far the King their Master, as Things now stand, would be willing to hearken to a General Peace, till he have first tried the Fortune possibly of one Campaign, not to seem to the World to have been awed into it. It is a Point they do not own to have any kind of Light in; but, on the contrary, they seem to think, that whatever the Mind and Resolution of the King their Master be in the Thing, it will have been first certainly communicated to his Majesty, so as that it will be known much earlier and more fully on that Side, than we shall be able to learn it here from the Ambassadors. The inferior Allies, that is, the two Bishops, continue very pressing to have the General Peace brought on, and that by the King our Master's Interposition; and to a Degree, that it is much to be suspected, if they do not find suddenly a Probability of having a General Peace, they will be thinking each of providing separately for himself: And we have Reason to believe, by what has these last Days fallen in several Conversations from those of *Munster*, that their Master is already far on his Way in the Thing. As to *Sweden*, the Ambassadors here continue to wish at large, that the King would please to interpose his Offices and Assistance towards the Work; but will not speak out, and under what Figure they would propose his Majesty should do it: They speak in the general, of the Authority his

Majesty may have with the King of *France* on the one Hand, and with the Crown of *Spain*, and much more with the Prince of *Orange*, on the other Hand, for the bringing the two Parties to Terms of Reason in their several Pretensions; but still they seem desirous, that the Name and Figure of Mediators in this Work may remain singly to them. And this is all we can hitherto learn of their Mind, as to the Part and Figure they would be willing his Majesty should take in the Thing. We had well hoped, that by what they had hitherto discoursed to us of the Errand of M. *Sparr*, that he would have been instructed, at his Arrival on that Side, to have spoken a little more clearly and throughly as to this Point; but by what we could gather yesterday from Count *Tott*, he is so far from that, that indeed he is to seek now, since the Conclusion of the Peace, what to say of any kind at his Arrival at *London*; and he let fall, as if that were indeed the Reason, why he, M. *Sparr*, made no more Haste in his Journey, to gain Time for new Instructions from *Sweden*, to meet him at *London* by the Time he arrives there.

As to the Affair of Prince *William* of *Furstemburgh*, it continues in the same State it was in our last; and the great Expectation is, what Answer the Emperor will think fit to make, to the Memorial of the *Swedes* Minister, given in upon that Subject at *Vienna*, a Copy of which we take Leave here to inclose; as far as can be yet judged, the Emperor is in a Resolution of owning the whole Thing, even in the Circumstances of it, save what relates to the Prince's Character of Ambassador; in which not having been own'd by the Emperor, or his Ministers here upon the Place, as they pretend, they seem to insist, that as to them at least he was no Ambassador, or Publick Minister, and so not within the Protection of the Law of Nations: However, it is believed, that in the Resolution the Emperor takes upon this Matter, he will, in the *first* Place, have an Eye how far, and to what Degree, the several Kings and Princes interested in it are like to resent the Thing, and accordingly will come off it or not: So as it is believed, that a serious Interposition, even by Letter, in case that could come Time enough from the several Princes concerned in this Assembly, would go far with the Emperor in the Matter.

Two Days ago M. *de Scrinchamps*, one that had been some Months here on the Part of the Duke of *Lorain*, tho' without Character, came to compliment us in the Duke his Master's Name, upon the Conclusion of the Peace; which, he said, the Duke resolved to do himself by Letter to his Majesty, which he desired we would give Cover to, so soon as it should come to our Hands. He touched a little upon the Matter of *Lorain*, and the great Injustice he had so long suffer'd from the *French* in it; saying, the Duke his Master would now hope for his Majesty's Favour and Protection to him, now that his Majesty had concluded his own Peace, in case the Negotiation of a general one should be resumed.

Since the closing of this Dispatch, we have the certain News of Prince *William*'s having been removed from *Bonn* on *Saturday* last in the Evening, under a Guard of 250 Horse, with Order, as is said, to make a Stay of some few Days at *Hermensteim*, and so to proceed with him directly for *Vienna*. Which looks as if the Emperor were resolved finally to stand by what has been done in the Thing, even to the utmost of the Circumstances of it.

This Advice is sent to us by the Countess *Levenstein*, Sister to the Prince; and by what we hear from others, we have no Reason to doubt of the Truth of it.

We

We most humbly beseech his Majesty's Favour as to our Allowances and Entertainment, that his Majesty would please graciously to name us to my Lord Treasurer, that we may continue to be in his Lordship's Care, as to our Assignments.

We have all along hitherto taken Care, as well for the Credit of our Characters, as in Consideration of the Point of good Husbandry that is in it, to buy all with ready Money, so as not to be owing any where a Day; and we would be glad still to do so. Your Lordship will please to remember, our Payments are from three Months to three Months, and that only when the Term is expired, for which the Money is due; so as we are always three Months Allowance out of our own Purse. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{6}{16}$*th Mar.* 1673-74.

My Lord,

We had no sooner closed our last, that we had the Honour to write to your Lordship of the $\frac{3}{13}$*th* by the Ordinary, a Duplicate whereof goes herewith inclosed, but M. *le Baron de Fraines*, the principal Minister that now, since the *Enlevement* of Prince *William*, appears here in the Elector of *Cologn*'s Affairs, came to us, with a Message from his Electoral Highness: It was to desire us to convey a Letter, which he told us, he was to bring from the Elector, addressed to his Majesty; and also to recommend to us, as from his Electoral Highness, *two* Things, to be by us in all Humility laid before his Majesty (as Part of the Business of this Place) with the first Conveniency. The *one* was, the restoring of Prince *William* of *Furstemburgh* to his Liberty, with Honour; the *other* was, the Interests of this Elector to be taken into his Majesty's Protection, in the making up of the general Peace. For Prince *William*, the Elector had, as M. *de Fraines* told us, done the utmost on his Part; for he had written with all Earnestness possible to all Christian Princes; he named the Pope, the Emperor, the Kings of *Spain* and *Sweden*, the several Electors, and all the Princes of the Empire; and would still persist in his Applications to all and each of them: But it was his, the Elector's Opinion, that as his Majesty, on the one Side, is interested in the Reparation due for the Affront done to this Assembly, and for the Violation of the publick Security accorded to this Place; so on the other Side, He is at this Time in a perfect good Understanding with the Emperor and the Queen of *Spain*: That his Intercession for the Prince's Liberty will have Weight, in Proportion, and far above that which any other Prince (not excepting the King of *Sweden* interested as Mediator) can have. The Elector therefore desired his Majesty might be beseeched to make such Instances by his Letter to the Emperor and the Queen of *Spain*, as might manifest a Concern suitable to the Occasion, in Order to prevent an indelible Blemish, that will otherwise be fasten'd upon the Councils of the Emperor in Story, and to hinder the dissolving of this Assembly, since it is in a Manner to be despaired of, that such another would be got together for the universal Repose and Good of Christendom. As to the other Point, *viz.* the protecting the Elector's Interests in the general Treaty of the Peace, he did not suggest any particular Means or Way, whereby his Majesty might evidence his Friendship and Concern for the good of the Elector, only

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told us, the Elector did assure himself, several Occasions would hereafter present themselves, where his Majesty's Interposals with the House of *Austria*, and with the Prince of *Orange*, would be of special Advantage to the Elector. We repeated to M. *de Fraines*, upon this Occasion, what we had often intimated to him, as well as to our other Allies, in former Conversations, that nothing could be so heartily welcome to our Master, as an Opportunity to shew the Zeal he hath to employ his Credit with the Parties in War, in Order to re-establish a general Peace between them; and has therefore been pleas'd not to recal us, as soon as the Peace was concluded at *London*, that we might convey to him such Suggestions or Proposals as should come from any of the Parties in War, if any were offer'd: for it being very difficult for his Majesty to take his Measures for the bringing on of the general Peace, unless the Parties give him a View of what would content them, at leastwise how and in what Manner his good Offices would be acceptable and efficacious in the general Treaty: In Order to which, we did offer it to his Consideration (he having been pleased to say, the Elector judged our Stay here to be of good Use to the general Peace) to speak with the Mediators and the *French* Ambassadors upon this Subject; and to discover, if it might be, from the first, whether they can hope we might be useful to strengthen the Mediation; and if so, how far, and by what Means? And from the last, *viz.* the *French* Ambassadors, whether our Master's good Offices will be accepted in endeavouring to unite them and their Adversaries. The Baron did not say, he had any Discourse with the *French* Ambassadors upon this Subject, only he did confess, and that in a Manner before he was aware of it, that he had spoken with Count *Tott* upon this Subject, and that the Count had discover'd to him, that they, the Mediators, had no Mind we should intermeddle in this Mediation, under the express Figure of Mediators; and therefore he took upon him to explain the Elector's meaning, in that he judged our Stay here to be still necessary; for he said, the Elector was not of Opinion that our Master should trouble himself to mingle with the Mediators, and to appear in the same Figure with them; he thought his Majesty's Offices, even without the Name of Mediator, would be much more powerful, to moderate the Parties in their Pretensions, and to allay all emergent Difficulties, than the Offices of any other Prince, considering his Authority with *France*, with *Spain*, and with *Holland*. So that upon the whole Matter, the Message he brought us, resolved itself into these two Things· 1*st*, That his Majesty had all Reason on his Side, and some Engagement also, to interest himself for the Liberty of Prince *William*; there being more to be hoped from his Instances (if they be early and pressing enough) to the Emperor, Queen of *Spain*, and the Prince of *Orange*, than from those of any other Prince in Christendom: For the *other* Point, It was a Recommendation only in the general of the Elector's Interest, wherein M. *de Fraines* did repeat over and over, how punctual the Elector had been in complying with his Obligation to the Alliance, he had the Honour to have with his Majesty; but without proposing any Plan, or offering any Essay, that his Majesty should make or ask for him at this Time. And indeed, 'tis generally thought here, the Elector at this Time hath no Plan to offer, or essay to make, in Order to bring about his Peace with the Emperor; for he hath nothing of his own remaining in his Hands, wherewithal to purchase a tolerable Peace, or a State of Neutrality, which might give the Emperor more Advantages or better Security than now he hath, while he possesses all his Places, excepting those the *French* have;

have; and lays on Contributions as in an Enemies Country: But the Baron *de Fraines* not bringing us the Elector's Letter, as he promised, we have nothing to add for the further Explanation of this Message.

The removing Prince *William* from *Bonn* is now confirm'd, his Relations here having had a Letter from him, that did, upon his being removed, intimate, he was to be carried into some very remote Place; he telling them, he was not like to come to his Journey's End, in less than three Weeks Time: Which gives Men cause to conjecture here, he will be carried to some Place in the Hereditary Countries. This is taken to be of very ill Omen for the Assembly here, it being probable, the *French* Ambassadors will desert it, according to the Declaration they have already made to the Mediators, as soon as the Emperor shall by any publick Declaration own the Continuation of this Violence and Restraint upon Prince *William*'s Person.

The *Dutch* Ambassadors, in a Visit they were pleased to give us yesterday, seemed very much to bemoan this Incident, as of ill Consequence to the general Peace; and to be troubled at that Difficulty, which the Emperor and *Spain* make of treating upon the Restitution of *Lorain*, for Want of the Formality of Passports; saying, that they, the *Dutch* Ambassadors, are not wanting in pressing their Allies, not to make this Peace desperate by this Violence, nor to refuse it, if any honourable Peace be offered, because the Duke of *Lorain* is no Party to it, according to the usual Forms; adding, that they do daily press it more earnestly to their Allies, in that 'tis wholly against the Interest of the States their Masters, to continue in this War; and that the Emperor, by his Treaty with the States, is (as they observ'd to us) bound to accept of an honourable and safe Peace, whenever it is offer'd him.

It is now, it seems, acknowledged on the Prince Elector *Palatine*'s Part, that there was a Treaty made, such as was produced by the *French* Envoy, the Marquiss *de Bethune*, between the Emperor and the Elector; and now the Precautions which the Most Christian King hath used, in seising of *Germersheim*, is not so surprizing, in Regard that otherwise the Place was to be put into the Emperor's Hands, to the infinite Prejudice of the Garrison at *Philipsburgh*, and the *French* Affairs in those Parts; but the Envoy hath Orders, as it is said here, to offer, that if the Prince Elector shall please to renounce the Treaty, and to continue in a State of perfect Neutrality during this War, *Germersheim* shall be put into the Hands of any Prince of the Empire that the Elector himself shall choose, till the War be ended, and then to be restored to the Prince Elector.

Since our entring upon this Address, the Honour of your Lordship's of the 23*d* is come to our Hands; which we do humbly acknowledge; and your Lordship being pleased to intimate to us, that his Majesty is desirous to receive an Account of our humble Opinion in Reference to our Station here; which we humbly take leave, to understand of those two Points we have in our Care, to give your Lordship from Time to Time the exactest Account we can possible, *viz.* how, and in what Figure, his Majesty may best support this Mediation; and how far disposed the Parties in War are, to make a right Use of his Majesty's good Offices. We have nothing worth your Lordship's Trouble, that we can add to the inclosed Duplicate, and to other our former Dispatches upon that Subject; only the Mediators do appear to us more and more discomposed and anxious touching the new Figure that *Sweden* is now to take in the present Conjuncture; for they give it for grant-

granted, that their Mediation here is in a Manner expiring at this Time.

One Thing fell out yeſterday, which is to be reckoned and added to the many Misfortunes, if not downright Faults, of this Government; the Marquiſs *de Obizzi*, who commanded the Party that firſt ſeized upon Prince *William*, having received a Hurt in that Conflict, which diſabled him then to get off with his Party, was in a kind of Cuſtody here in a Convent, under a Guard appointed by the City; but yeſterday he was conveyed away out of the Convent, and ſo over the River into *Duytts*, where the *Imperialiſts* have now a Garriſon. The Marquiſs *de Baden*'s Coach received him at the Convent Door, he getting into it by ſome Surprize upon the Sentinels, or elſe by their Connivance; his Eſcape is certain, but the Contrivance is not yet known; only the Sentinels were found in their uſual Poſture at the Door after he was gone. We are, &c.

To the Earl of *Arlington*.

Cologn $\frac{10}{20}$*th Mar.* 1673-74.

My Lord,

THE laſt we preſumed to trouble your Lordſhip with, was of the *16th* Inſtant, a Copy of which we take Leave to ſend here incloſed; ſince which, we have not been able to diſcover any Thing new worth your Lordſhip's Trouble, upon either of the two Points remailiing more particularly at preſent in our Care, to wit, how, and in what Way, his Majeſty could beſt interpoſe his Offices here towards a General Peace; and how far the ſeveral Parties are in a Diſpoſition to receive his Majeſty's Interpoſition in the Thing: We are not able, for the preſent, to ſay much more upon either of theſe two Points, than what we have preſumed, in Obedience to his Majeſty's Commands, humbly to lay before him, in our three or four laſt Diſpatches; to which therefore we muſt take Leave, in all Humility, to refer ourſelves: We only obſerve, that tho' all the Parties here upon the Place have for a long Time been at a ſtand, and ſo ſeem, for any Thing we perceive, likely to continue, as to any Overture or Advance from any Hand for reſuming the Treaty; yet ſtill we find them all willing, as far as we can judge, to keep up the Congreſs, unleſs it be *Spain*, which poſſibly may be thought a little more indifferent in that Point than the reſt; but whatever be their Mind, any of them, as to the Point itſelf, of continuing or diſſolving this Meeting, we find plainly, that none of them would be willing to be the firſt that ſhould break off and quit the Aſſembly, they ſeem all to think that a Thing odious and implauſible towards the World; and yet we cannot perceive there is any Care taken on any Hand, either by the Parties on either Side, or much by the Mediators themſelves, for the reviving and ſetting on Foot the Negotiation; and indeed, after the Experience that has been had, of the very ſlow and heavy Pace wherewith *Sweden* hath moved hitherto in the Work, the greateſt Hopes the World on this Side ſeem to have, are from his Majeſty; that is, as we have heretofore intimated to your Lordſhip, from the Credit they believe his Majeſty's Interpoſition will ſtill have with the Moſt Chriſtian King on the one Side, and the great Authority they conclude his Majeſty muſt needs have henceforwards with the Prince of *Orange* on the other: And theſe two being fairly inclined to a Peace, it is not doubted,

doubted, but that *Spain* will be brought to be of the same Mind; and this is an Office we find all People here of an Opinion, cannot be hoped for well but from the King our Master; but how, in what Way, under what Figure, the King should undertake it, that is a Point we have not been yet able to have any body give us any distinct, clear Opinion in: In the mean time, your Lordship will have observed, there hath been a Discourse these two or three Months last past, as if the Pope has an Intention to offer his Mediation to the Princes that are of his Communion; and it hath been told, within these two Days, by a Domestick of this Nuncio, that actually at the Court at *Vienna*, not only the Proposition hath been made, but that the Emperor, as to himself, hath accepted of it: This was told us very confidently, by one in principal Place about the Nuncio, and we are endeavouring to learn the Certainty of it from other Hands. The *French* Ambassadors, upon this Occasion, told us, that their particular Letters say, the new Nuncio at *Paris* did now lately, upon his first Arrival, make the same Offer there; but they do not say what the Answer was the King made to it.

FRIDAY the $\frac{6}{16}$*th* Instant, returned the Courier which the Mediators had dispatched to *Vienna*, with their Complaints upon the Seizure of Prince *William*, bringing with him the Emperor's Answer to their Minister's Memorial upon that Subject, a Copy of which we take Leave to send your Lordship here inclosed: Your Lordship will find the Fact is owned in all its Circumstances, and little more said in Justification of it, on the Part of the Emperor, than what had been first insinuated in the Notification given of that Matter to the several Publick Ministers at *Vienna*; an Extract of which, as it came written to the Mediators from M. *Puffendorff* their Minister there, your Lordship will have received in one of our late Dispatches; that which we find all People to have their Eyes now upon is, to see what Way the several Kings and Princes interested in this Violence, will think fit to take for the Reparation of it: In the mean time, till that can be resolved, (for it is conceived that must be done upon some Concert and common Measures to be taken amongst these several Princes, or at least between the three Kings, and the most considerable of the other Princes) in the mean time, till that can be done, this Elector perswades himself, a Letter from his Majesty to the Emperor, if it could be sent forthwith, and in Terms a little serious and earnest, would do very much at this Time in the Thing; and therefore he has now again recommended it to us by M. *de Fraines*, to represent this as his humble Suit to his Majesty; and that his Majesty would please, that as well for the Security of the Conveyance, as for the greater Solemnity of the Thing, the Letter might be sent by a Courier Express. This, it seems, is one of the two Things the Elector himself hath desired of his Majesty in his own Letter, which, he sends us Word, shall be put into our Hands by and by, to be transmitted by our Pacquet of this Day.

THERE hath been no further News of the Prince since his parting from *Bonn*, only it is said, the Order is to carry him to *Newstadt* in *Austria*, 6 or 8 Hours beyond *Vienna*, where is a strong Castle, alotted usually for the Person of great Offenders; there, it is given out, he is to be kept; and private Letters from *Vienna* say, the Emperor means to make short Work of the Matter, unless some speedy and effectual Interposition be made on the Part of the several Princes, who are looked upon as interested in their Honours and Dignities in what has passed in this Affair. All that we find the *French* Ambassadors do upon this Answer from the Emperor is, to transmit a Copy of it to the King their

Maſter, and to expect his Orders to them upon it; which they ſeem doubtful yet what they may be, whether immediately to withdraw, or to remain here.

We preſume humbly to recommend to your Lordſhip's Favour, the incloſed Bill of Extraordinaries, being partly for the Remainder of our Travelling Expences in our Journey hither, and partly for ſuch extraordinary Sums as we have expended during the Time we have been here: The Bill we have ſigned is under general Heads, according to the Stiles uſually allowed in like Occaſions; but at the ſame Time we take Leave to add a diſtinct Account of the very Particulars of each of thoſe Generals, as they are drawn out by thoſe that have the Care of our Expences, and that keep our Accounts: We moſt humbly lay them at his Majeſty's Feet, and beſeech your Lordſhip's favourable Recommendation of them, as that which we have been forced to take up Moneys for from ſeveral Friends, upon our private Credit; which we have no Reaſon to expect ſhould hold out much longer, in the Way we are otherwiſe forced to make Uſe of it, for our weekly Subſiſtance here, unleſs we be enabled, by his Majeſty's Goodneſs, out of what is due to us upon thoſe Bills, to keep Pay with thoſe we are already owing to, We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{13}{23}$*th Mar.* 1673-74.

My Lord,

Our laſt that we had the Honour to write to your Lordſhip, was of the $\frac{10}{20}$*th* Current by the Ordinary, a Duplicate whereof we take Leave here to incloſe. We gave your Lordſhip an Account, in ſome of our late Diſpatches, of the Surprize of *Germerſheim* (a Town upon the *Rhine*, belonging to the Prince Elector *Palatine*, about two Hours from *Philipsburgh*) by the *French* Troops, under Meſſieurs *de Vaubrune* and *de Rochefort*; as alſo that the Particulars of the Proceedings, relating to the Surprize, had been notified to us by the expreſs Directions and Order of his Electoral Highneſs, by M. *Spanheim* his Reſident here. We do now find, by ſome Paſſages that were let fall in a Converſation between the Mediators and M. *Spanheim* on *Tueſday* laſt, that there is a Mediation endeavoured to be ſet on Foot here, for accommodating of that Affair. It appeared then by M. *Spanheim*'s Diſcourſe, that he had had ſome Days before, an Overture made to him by the Mediators, to be tranſmitted to the Prince Elector his Maſter, of their Readineſs to interpoſe their Offices forthwith, to take off the Miſunderſtanding between the Moſt Chriſtian King and the Prince Elector, begotten upon this and other late Emergents; which they, the Mediators, thought themſelves ſufficiently enabled to do, in virtue of their preſent Powers and Inſtructions, to labour in every Thing that may preſerve the Peace of the Empire; to which Overture they added an Aſſurance they might with all Eaſe, and would with all Speed, draw ſuch further Powers from the King their Maſter, as ſhould qualify them particularly to adjuſt theſe Differences, and to ſatisfy the Pretenſions of his Electoral Highneſs, upon this and all other Accounts.

M. *Spanheim*, in debating this Affair with the Mediators, ſeem'd to apprehend, that this Mediation, if it ſhould be ſet on Foot, would meet with great Difficulty, in two Points eſpecially, which the Prince Elector would,

would, he ſaid, finally inſiſt to be ſatisfied and ſecured in: The one was, Reparation for Damages already ſuſtained by his Subjects from the *French* Troops. The other was, an Aſſurance and Warranty for the future, that his Electoral Highneſs's Countries and Subjects ſhould not be oppreſſed and trodden under Foot (as he worded it) with ſuch a Waſte and Violence, as they have been by the Troops of *France*. For Compenſation of the Damages already ſuffered, M. *Spanheim* ſaid, (but believed it as his own private Opinion) that it would not be unreaſonable for the Prince Elector his Maſter, to ask and expect to have the Town of *Philipsburg* diſmantled, and reſtored to the Proprietor, the Biſhop of *Spire*; and that he would think himſelf ſatisfied for what his Countries have hitherto ſuffered in this War, if he might be eaſed of the Inconveniencies and Damages perpetually ariſing from the Marches to and from that Place: But there could not any Thing be thought on, as the Mediators and we conceived, leſs likely to take Effect, than that *France* will, upon ſuch a Conſideration, give up a Poſt they ſo much value. In the other Point of future Indemnity and Safety from the Ruins and Violencies of the *French* Armies, when it was debated, *viz.* what Caution or Security was poſſible for the Elector to have: Count *Tott* very frankly interpoſed, that in caſe the Prince Elector would enter into Neutrality with *France*, the King our Maſter and the King of *Sweden* might, and probably would, become Guarands of ſuch a Treaty, and ſuch a ſpecial Article as would provide for the Indemnity of his Eſtates in the future. This, My Lord, was all the Count ſaid upon the Occaſion, without intimating any Deſire to us, that his Majeſty ſhould be intreated to take part in this Mediation; nor did there any Thing elſe, either in this Conference, or any other where in our hearing, fall from the Mediators, that ſhould induce us to believe, they would be glad of our Conjunction or Aſſiſtance in the Figure of Mediators, in this, or in any other Part of their Buſineſs: And tho' we have taken all fitting Occaſions to let them know, that his Majeſty hath a Zeal to put his helping Hand to a General Peace, and to draw his Allies out of that Embarraſs, from which himſelf is now diſentangled; yet they have not ſeemed to us to be any Thing warm and hearty in their Approbation of ſo generous a Deſire; nay, rather, they ſtill decline, with ſome Induſtry, all further Enquiry and Diſcuſſion, how his Majeſty's Offices may be introduced, and applied to any Part of the Matter of the General Peace.

If his Majeſty ſhould think fit to make an Offer of his good Offices upon this Incident, we have all Reaſon to believe his Electoral Highneſs would defer to them with all Reſpect and Satisfaction to his own Thoughts; he having not only recommended to us the acquainting his Majeſty with this Affair of *Germerſheim*, but alſo (as your Lordſhip did us the Honour to let us know in one of your Diſpatches, about the Beginning of *December* laſt) made it his Suit to his Majeſty, to take his Pretenſions for Reparation of Damages into his Care and Protection, at the winding up of this Treaty: But how far his Majeſty's Interpoſal will be acceptable at the Court of *France*, we ſhall not preſume to offer any Conjecture; only we ſhall beg Leave to obſerve to your Lordſhip, that we think we have Reaſon to believe, that the *French* Ambaſſadors are not only privy to this Offer which the Mediators have made to the Prince Elector of their Offices, but that they have the whole Conduct of it in their Hands, and have a conſtant Account from Count *Tott* of every Thing that paſſes between them (the Mediators and M. *Spanheim*); yet the *French* Ambaſſadors have not been pleaſed to take

any Notice to us that there is any ſuch Overture on Foot; much leſs have they diſcovered to us any Wiſh or Deſire, that the Authority and Offices of our Maſter were taken in, for the better compoſing, and quicker ſettling of this Buſineſs, or indeed of any other Part of the Peace.

But if his Majeſty ſhould not think fit to offer himſelf upon this particular Emergent, as having no ſuch direct Tendency to the general Peace, the removing of thoſe two great Obſtacles, *videlicet*, on the one Side, the denying of Paſſports to the Duke of *Lorain*; on the other Side, the Violence upon the Prince of *Furſtemburgh*, is of that Conſequence, as to deſerve, as we humbly conceive, his Majeſty's Reflexions, upon what is practicable in that Affair; for there ſeems to us, as the Parties now ſtand, an Impoſſibility of entring into Matter, as long as theſe two Points (which are now become as it were Preliminaries to any Negotiation of Peace that is to follow) do ſtand thus unadjuſted, unleſs his Majeſty's Credit with both the Parties can prevail with them to compound the Matter, and at one and the ſame Inſtant, the Emperor to ſet Prince *William* at Liberty, and the Moſt Chriſtian King to grant his Paſſports to the *Lorain* Miniſters.

This we humbly take leave to mention, as an Affair ſo much the more worthy of his Majeſty's Conſideration, as that the Eyes of all thoſe Princes and Perſons that wiſh for a general Peace are upon the great Authority he hath now in *Holland*, and the great Credit he hath with the Moſt Chriſtian King and the Houſe of *Auſtria*; beſides that the preſent Mediators have been refuſed by the ſeveral Parties reſpectively in theſe two Points; and that it ſeems to be a meer Point of Honour on each Side; in the compounding whereof, there will be no Diminution to the real Intereſts and Pretenſions of either Party, and that both Points are taken here to be in a Manner of equal Scandal, *viz.* that of denying Paſſports to a ſovereign Prince, no Subject of the Crown of *France*, to come to a Treaty of a general Peace. When, on the one Side, the Emperor, who oppoſes not the appearing of any of the Allies of *France*, as Parties to the Treaty, demands thoſe Paſſports, as to an Ally of his in this War; and when, on the other Side, the Reſtitution this Prince intends to demand in the Treaty, is acknowledged to be a Thing not to be denied him, ſeems to be as little defenſible by the Law of Nations, (tho' not ſo uncouth and horrid) as that other of ſeizing and carrying away by Violence the Elector's Ambaſſador and Plenipotentiary, acting in a Treaty of Peace, and at a Place warranted by the Emperor himſelf, ſo as that Ambaſſador was as fully as any other Ambaſſador here whatſoever, within the Letter and Protection of that Warranty; and all this upon no better Ground, than that the Emperor does know this Perſon to be his Subject, and a Delinquent againſt him; but does not know, that he had the Character of Ambaſſador in this Place: So that it ſeems but reaſonable to ſuppoſe, that two ſo great Princes would not refuſe ſo fair Occaſion (ſuch as this of compounding theſe two Points upon his Majeſty's Interceſſion ſeems to be) to draw back from this Step; which may be a Blemiſh in their Story, but can be no real Advantages to their Pretenſions.

The Biſhop of *Straſburgh* being ſtill at *Keyſerwert*, ſent one of his Gentlemen two Days ago to me, Sir *Joſeph Williamſon*, to let me know, he had a great Deſire to ſpeak with me upon Buſineſs there. I have made my Excuſes to him as well as I was able; partly from that my Preſence could not be of any great Effect in Buſineſs relating to the Publick, without my Collegue alſo upon the Place; and partly from the Hazard of meeting with Affronts and Inſolencies from the Soldiery in

in the Passage thither; besides that, I did not (as I told the Gentleman) well know how to go by the Duke of *Newburgh*'s Door, upon that which must seem to the World to be nothing else but a Visit, without having yet paid one to that Prince, for whom his Majesty hath so particular an Esteem and Kindness. We are both of us (having reflected upon this Message, upon the Bishop's Temper, and the present Posture of his Affairs) much perswaded, that his Thoughts are wholly set upon making the best Peace he can for this Elector and for himself with the Emperor, as soon as is possible; and therefore we take leave to submit to your Lordship, whether the speaking with him at this Time should not be declined; as I am resolved to do, unless his Majesty shall judge it to be of Use to speak with him (to discover the Design and Method he is upon, and to endeavour to turn it) so as it may be subservient to the general Peace. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{17}{27}$*th Mar.* 1673-74.

My Lord,

SINCE our last of the $\frac{13}{23}$*d* Instant, a Duplicate of which, according to our usual Custom, we take leave to send here inclosed; we have received the Honour of your Lordship's of the 2*d* Instant, in which your Lordship was pleased to take notice to us, among other Things, of the gracious Interpretation his Majesty has been pleased to make, of the good Temper and Moderation wherewith, as well the *French* Ambassadors as our other Allies, as the Mediators, had received the News of the Peace being finally concluded; as if we had contributed, by any weak and imperfect Services of ours, towards the begetting these Preparations in them. We do with all Humility acknowledge his Majesty's infinite Goodness, in forgiving so graciously the many Failings we may have been guilty of, in the Course of this whole Negotiation; far from presuming to deserve so gracious an Acceptation of any Thing we are able to do; we beg leave to lay ourselves most humbly at his Majesty's Feet, for this infinite Goodness, beseeching the Continuance of your Lordship's Protection, that we may be ever preserved in his Majesty's Grace and Favour, which is the greatest Happiness we can wish our selves in this World.

By our last, we presumed to entertain your Lordship at large, upon the Occasion of the last Incident, of the *French* possessing themselves of the Town of *Germersheim* in the *Palatinate*; and of the Hint that had been casually given, in a Conversation with Count *Tott* and M. *Spanheim*, the Prince Elector *Palatine*'s Minister here, as if his Majesty's Interposition in that Matter might not be unseasonable for the preventing that general Flame, that, it may be feared, may otherwise break out, upon the Occasion of that particular Incident. It was a Thing barely of the first Impression, of which we did not presume ourselves to make any Judgment; but humbly submit it to his Majesty's Wisdom: It is certain, that as the Matter seems to turn, unless some Expedient be found speedily to keep Things from passing to Extremities, the Elector runs a great Hazard of having his Country wholly ruin'd; for the best he can hope, as the Case now stands, is, to be able to keep himself Master of the rest of his Places, by Reason of the Forces the Emperor is to furnish him, which very Preservative may at last come to cost him as dear, as the ill he hopes to provide against; and in the mean Time, must bring in a necessary Wast and Destruction upon his whole Country:

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The *French* Ambassadors tell us, that absolutely by this Time, they reckon M. *de l'Orge* is there; that is, on the Confines of the *Palatinate*, with a Body of 9000 Horse effective, and with a Design of doing whatever further Execution of all Kinds he can, in Case the Elector continues in the same Mind he at present is in, as to the new Engagements he is in with the Emperor: On the other Side, the Emperor has already put Garrisons into four or five of the Elector's Places, *Franckendale*, *Oppenheim*, *Attry*, *Newstadt*, &c. and finding the first Numbers they had brought fall much short of what will be necessary for the Defence of the Country, against what the *French* are bringing against it, they have sent for a further Supply, out of which, *Laddemburgh* and *Manheim* are in the first Place to be garrisoned; and so one of the first Scenes of the War, that will be opened in this Campaign, is like to be the *Palatinate*.

In the Visit we made yesterday to the *Dutch* Ambassadors, upon Occasion of the *Bonns festes*, we found M. *Beverning* full of his usual Dissatisfaction and Sharpness against the Mediators, particularly charging it upon their Want of Activity, or something else, that the Negotiation of the general Peace had stuck so long without any Kind of Endeavour used to remove the Obstacles that were so unhappily thrown in its Way; that they, the Mediators, whose Part, he said, it was to invite, to sollicit, and press the Parties, where they found them backward, have been so far from doing what in that Kind might have been expected from them, that to this Day, he said, they had not formally offered their Mediation to the Emperor or to *Spain*: Nay, that tho' they were assured under Hand from M. *de Lyra*, early upon his first Arrival in the Assembly, and before M. *de L'Isola* was upon the Place, that their Mediation, which it seems they had desired, he, M. *Beverning*, would found their Allies in, would be very readily accepted of by the Crown of *Spain*, and (he doubted not) by the Emperor too, tho' he have made them this Answer, through his, M. *Beverning*'s Hand; yet to this Day, he said, they had not thought fit to say one Word further in it; even tho' they had been told, by him, M. *Beverning* and his Collegues, that the States their Masters had order'd them, in their Names, to interpose, for inclining the Emperor and the Queen of *Spain*, to accept the Mediation of *Sweden*, in Case they should find they made otherwise a Difficulty in it: Which he said, considering the Engagements all the World saw that Crown hath with *France*, even in Relation to this very War, and the round Sums they receive regularly upon that Account, was a Thing the Emperor especially might, with good Reason, have made a Difficulty to agree to. This, and much more to this Purpose, he urged, tending particularly upon the Want of Vigour or good Will in the Mediators, that the Work of the general Peace had not been more forwarded by this Time; that we were left to sit with our Hands in our Pockets so many Months, without any Care or Concernment there, where it ought to be, to have the Difficulties that had fallen into the Negotiation removed. Concluding, that for their Parts, they were quite weary of being here, without doing any Thing; and that they had now, by their last Letters, received Orders from the States to press the Mediators, to know what they are to expect, whether any Care will be taken for the bringing on of the general Negotiation of the Peace, and how? This, he told us, they were now ordered to press the Mediators in: But we apprehended, he a little mumbled the Matter in the telling of it, as if he had not a Mind to be well understood; and we found some Hours after by the Count *Tott*, that

that as to that Matter, there had been a kind of Heat in the Assembly at the *Hague*, between the Prince and the States: The Prince (as the Count told us, and seemingly from M. *Beverning*'s Information) having extreamly pressed, that the Ambassadors here might be ordered forthwith to make one final Demand of the Passports for the Duke of *Lorain*'s Ministers; so that if they should be still refused, the States might think of what they had further to do with relation to the present Conjuncture. This Proposition was judged to be made at the Instance of *Spain*, and with an Intention, in case the King of *France* should still refuse that Point, forthwith to drive the States into yet deeper Engagements with the House of *Austria*, in order to the Prosecution of the War; so as the States being aware of it, took Leave to differ from the Prince in the Point: And tho' the Thing was pressed with some Concernment on the Prince's Side, yet the States would not be brought to put Things on so violent and sudden an Issue, as that seemed to be; and therefore agreed only, that the Mediators should be called upon again in the Way M. *Beverning* had before told us.

AMONG other Visits we made, we called in to see M. *Fischer*, one of the Emperor's Ambassadors, a kind of a good, plain, downright Man: We found him touch upon the old Note, that a Peace was to be wished above all Things; but then it must be such a one as might be lasting, built upon fair and equal Terms, and well warranted; not forced upon either of the Parties, as those of *Breda* and *Aix la Chapelle* were; (for we observed he reckoned them both under the same Head as to that Particular) altho', he said, it was to be confessed, that *Spain*, as to its own Condition and Posture, was not at all better provided now, than it was then, to undertake a War; only they were now seconded with good Alliances, which then they wanted; but that for all that, considering the King of *France* was a powerful Prince, single to himself to resolve, conduct, and execute, without the many Delays, Differences, and Disappointments, that inevitably attend an Alliance, *i. e.* a Body made up of several Parts, that scarce ever suit well one to another; and if they did, yet it is impossible they should ever be perfectly of a Piece, so as to act with the same Harmony and Vigour the other does. He seemed, by the manner of his Discourse upon this Subject, to think the State of their Affairs, how favourable soever the Conjuncture is judged by some, to be not altogether so very secure, at least, that the Game is not at all sure on either Side: So as, by what we could discern, according to his Opinion, the Emperor should not at all, for his own Part, be averse to a Peace: And more than this, we have not been able to learn since our last of any kind, relating to that great Point of the Inclinations of the several Parties to a Peace; only we find the Expectations of all are turned more and more upon the King our Master, as to that good Work; especially now that they have got the News from *Paris* and *Brussels*, of his Majesty's having sent to offer his Mediation to the Crown of *France* and *Spain*, with which every body seems to be wonderfully pleased; and to form great Hopes to themselves of seeing suddenly some good Effects of it.

THIS Morning we have had with us M. *Serynchamps*, the Duke of *Lorain*'s Minister, to put into our Hands the Duke's Letter to his Majesty, of which we already gave your Lordship an Account in a Dispatch some Posts since; with this goes likewise a double of this Elector's late Letter to his Majesty, as also a Letter to the King from the Bishop of *Strasburgh*, of whom we have not otherwise heard any thing since our last, or of

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what he is thinking to do as to a separate Accommodation of the Elector with the Emperor. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{2}{30}$*th Mar.* 1674.

My Lord,

SINCE our last, which was of the $\frac{17}{27}$*th* Current, a Duplicate we humbly take Leave herewith to inclose, we have the Honour of your Lordship's of the 13*th* to acknowledge, whereby we understand his Majesty's gracious Pleasure to be, that we should make no Difficulty to appear in such Vindications of the Rights due to the Character of Publick Ministers, as the *French* Ambassadors may possibly invite us to joyn with them in; but with this Caution on our Part, that we contain ourselves within those Bounds of Moderation and Respect, that suits with the present Aspect, in which his Majesty, since the Peace with *Holland*, stands towards the Emperor, and that Party which may concern themselves in justifying the Violencies acted upon the Prince of *Furstemburgh*: This gives us the greater Comfort and Hopes, that what we have already done, in appearing upon the Strength of our own Sense of Duty, more eminently and more early than any other, in an open Resentment of that Violation, hath had nothing in it unagreeable to his Majesty's Royal Judgment; for when the Mediators pressed us to go on *par provision*, and upon Supposal that all Right would be done to Prince *William*, urging us not to give a Stop to the Negotiation we were then entered upon; we did take Leave to break off abruptly upon that Incident, apprehending that Violation of the Publick Surety to be (as we then told the Mediators) a Point of greater Weight, than any one of the Articles we were then treating of with the *Dutch* Ambassadors, those Articles being Points wherein his Majesty had honoured us with his Instructions, and wherein we knew the Latitude that was allowed us; but that this Violation was a meer Point of Honour, determinable by Princes alone, wherein, as we were not in the least instructed, so to have anticipated the King our Master's Judgment, in a Matter so arduous, so nice, and so unheard of, would have been the greatest Absurdity imaginable on our Part. The Mediators were not then satisfied with our Resolution, tho' they (as well as all other Ministers here) have since judged, that we, in so breaking off, had taken the safer and more honourable Course.

Thus it happen'd to us immediately upon that *Enlevement*; but on *Tuesday* last, we had another Occasion given us to discourse our Sense upon it with M. *de l' Isola*, in a Visit he was pleased to return us; he began with telling us, there was something in Prince *William*'s Case that had given the Emperor a personal Resentment against him, he did not tell us what it was, but the next Day he told the Mediators, it seems, it was, that the Prince had a strict Correspondence with the late Rebels in *Hungary*, *Zenni* and *Tottenbach*; he told us indeed, that he had written to one of the great Ministers at *Vienna*, with intent to do the Prince some good Offices; but that he had receiv'd an Answer from that Minister, and also in 4 or 5 Lines writ with the Emperor's own Hand, (in the Bottom of one of his Dispatches) that it would be in vain to touch upon that String any more. M. *de l' Isola* letting himself into the whole Merits of that Affair, seemed to lay the main Stress of their Justification,

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in that he was never own'd (*reconnu* was the Word he used) by the Emperor or his Ministers, for Ambassador or Plenipotentiary here; and that if he had offer'd to appear as such, he had Orders to refuse treating with him, and had actually declared, he would not treat with the Deputies of this Chapter, if Prince *William* were of the Number; adding for Reason, that the Emperor could not treat with one that was his Vassal, a *Bourgeois* in his Country, and highly obnoxious, *&c.*

We thought the Conversation had so much of Design in it, that it was not fit for us altogether to stifle our Sentiments upon this Matter; and when we had waved to speak any Thing in the Defence, or Purgation of Prince *William*'s Person, leaving him to the Law of his Country, (which he must answer and satisfy as soon as his Character is laid down) for the criminal Part of his Charge; We took leave to tell M. *de l'Isola*, that the Matter being looked upon here, as a Concern of all the Members of this Assembly, we had thought it our Duty, (being accountable to our Master for an Affair of this *Eclate* and Moment) to consider it with the best and maturest Applications we could; that it had been with a very great Reverence, that we had looked upon that Part, which his *Imperial* Majesty owns in this Incident, as being no Strangers to his great Equity and Zeal in all Matters of Honour and Justice; that the great Difficulty that stuck with us was, that we knew not how to reconcile this Violence, with that Declaration of the 19 *April* 1673. whereby his *Imperial* Majesty does, in the most solemn Form, stipulate all Surety possible, to all those Princes and Persons, and in express Terms to Electors, and to their Ambassadors, that should render themselves in this Town, as Parties to the Congress and Treaty, to be held between the two Crowns and the States General, and their respective Allies; that supposing Prince *William* to have that Character and *Plenipouvoir*, which he pretends to from this Elector, he was as fully within the Letter and Protection of that Declaration, as any of us publick Ministers could pretend to be; and that the Benefit of that Declaration, was no more to be disputed to him, than if he had had particular Letters of safe Conduct apply'd to his own Person.

That for the Matter of owning and recognizing of him under that publick Character, it was very sufficiently done by all the Persons, that had Right and Interest to examine the Reality or Validity of it: The Mediators being (as it were) the Judges, at least, the solemn Witnesses and Depositories of such Things, had own'd him as such: The *Dutch* Ambassadors also, as the only Parties then interested, had likewise admitted him as their legal Opposite, and entered into Matter with him; besides that, their Masters, the States, had given him their Letters of safe Conduct hither. So that upon this Point, we took Liberty to say, that we knew not of any Right the Emperor, at Prince *William*'s first entring upon this Negotiation, had to exact, that he should justify his Character to him or his Ministers, his *Imperial* Majesty being yet no Party to the War; and consequently, not to the Business of the Congress; it being apparent, that the Treaty between the Emperor and the *Dutch*, by which he is Party to the present War, is of a later Date than Prince *William*'s Plenipouvoir is; and that the Emperor had no Minister here several Months after that Prince *William* had entered into Business with the *Dutch* Ambassadors: Nay, we added further, that supposing the Elector his Master to be (which he absolutely denies) in Hostility with the Emperor; We did not comprehend how Prince *William* should be bound, nor indeed should be able, (properly speaking) to notify and justify his Character to the *Imperial* Ministers here; they having,

to this Day, by their own Confession, stood out, and not accepted nor own'd this Mediation, which was the only proper Conveyance of such Notices; since the respective Ministers of those in Hostility have no immediate Communication the one with the other, in the Course of this Treaty; we did readily grant to M. *de l' Isola*, that the Emperor, if he had enter'd into this Treaty as Party, might justly have refus'd to treat with the Elector of *Cologn* by the Ministry of Prince *William*; and it would have been a Reason sufficient for the Emperor to alledge, that the Prince was his Vassal, and obnoxious to him for Crimes; but the Elector employing him to treat, not with the Emperor, but with the *Dutch*, We did not conceive, that the Character which the Prince received from the Elector, was the less inviolable, after that the Emperor had comprehended him in the publick Surety; because he was his Vassal: It being free for every Prince to place his Character upon another Prince, his Vassal, as well as upon his own; and being received as such, into safe Conduct by his own natural Lord, he must not treat him as his Vassal, while his Character lasts, and he goes not out of the Bounds of his safe Conduct: We made this further Concession to M. *de l' Isola*, that if the Emperor, tho' he were no Party to this Congress, had excepted Prince *William*, or his own Vassals in general, from having Part in the Surety intended by his Declaration of the *19th* of *April*, it must be at his own Peril, that he should, after such Exception, have trod this Stage; no Prince being bound to give Letters of safe Conduct to another Prince's Ambassador, to pass through or stay in his Countrey; but that the Emperor having made the Declaration of the *19th* of *April*, and Prince *William* by his Character being as fully as any other publick Minister here, within the Purview of it; we did not know, how Hands could be laid upon him, without a downright Violation of the *Publick Faith*: All that could be done, if the Emperor found himself surprized, was, to have revoked his Declaration as to Prince *William*; which was not to be done, without solemn Notice to the Elector and Prince *William*, and without passing this Revocation, with the Reasons of it, in the same Solemnity that the Declaration itself had been passed at *Ratisbone*: So that we concluded, we were extreamly to seek how to reconcile the Treatment he had met with in his Person, with the Privileges due to his Character by the Law of Nations, and assured him by the Emperor's Declaration.

We must beg your Lordship's Pardon, if we say, it was some Satisfaction to us, to find by M. *de l' Isola*'s Arguments and Replies, that he, the Person who we thought had most studied the Point, had so little to say (that was solid) for its Defence; and we cannot but conclude from his Way of arguing, that those who put the Emperor upon this *Enlevement*, had only considered Prince *William* as highly obnoxious; and thought the Emperor was not bound to take notice of his Character, because he had not been received to treat with him; but had never bethought themselves that Prince *William* was here to treat with the *Hollanders*, not with the Emperor; nor that the Emperor had concluded himself, as to all his Right of meddling with his Person, since he had taken him under the Notion of Ambassador to another Prince, into his special Protection and safe Conduct, by his Declaration the *19th* of *April* last.

M. *de l' Isola* was pleased in this Visit, to congratulate the Peace with *Holland*, in Terms of great Respect for his Majesty; but we did not observe any Thing to fall from him, that spoke it to be either the

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Desires, or the Hopes of that Party, that his Majesty might become an Instrument of the General Peace; but he said much of their Numbers, and the Probabilities they have of acting successfully this Campaign. The *French* Ambassadors acquainted us yesterday, their Master had, by his Letters to the Bishop of *Munster* and this Elector, given them Notice, that the King our Master had offer'd him, the Most Christian King, his Mediation; the Letters, it seems, carrying some Intimation with them, that his Most Christian Majesty was inclined to accept of it, and did in a manner make Account of their Concurrence.

The News of the Defeat of a Party of *French* Horse, given in a *Postscript* of our last, stands uncontrouled, 'twas near *Manheim*, Count *Caprara* commanded the *Imperialists*, M. *de Beauvisé* the *French*; this last was hurt, 200 *French* were left upon the Place, and 100 Prisoners taken. The Chamber of the Princes at the Diet are come to a Resolution, that they will assist the Prince Elector *Palatine*: We humbly take Leave to send your Lordship a Translate of that Resolution, in which the Electoral College is said to have concurr'd, but that the Deputy of *Mayence* suspended the Conclusion: Herewith goes also a Translate of a Reply (dispersed by the Bishop of *Strasburgh*) to the Emperor's Answer upon the *Swedish* Memorial in Prince *William*'s Case. We are, &c.

A M. le Prince *de Strasburgh.*

à Cologn ce 2 d'Avril 1674.

Monsieur,

La Lettre du 30me passé que V. Alt. nous fit l'honneur de nous ecrire, nous à esté rendué le lendemain en suite d'une autre qui accompagnoit celle que V. A. a ecrite au Roy nôtre Maitre, laquelle nous esperons que sa Majesté aura eue a l'heure que nous ecrivons, entre les mains a moins que le Vent ait esté de la sorte contraire qu'on n'a pu faire le Traject de Mer, avec la diligence ordinaire, les derniers depesches du Roy ne marquent pas qu'il avoit encore reçeu la Copie que nous luy auions envoyée de la Reponse que l'Empereur avoit fait au memoire de Monsieur de *Puffendorff*, par laquelle sa Majesté verra la Maniere de laquelle l'Empereur s'est declaré sur le subject de M. le Prince votre frere. Le Roy pourtant ne laisse pas par les mesmes depesches de re-iterer l'approbation qu'il luy avoit deja plus temoigner de ce que nous auions faits icy, les premiers & mesme les Seuls de toutes les Ministers public en cette ville, sur le judgement que nous fismes d'abord qu'une telle violation de la foy publique ne se pouvoit pas faire sans quelle touchast de trop pres tous les Roys & Princes aux quels on avoit donné la public si solennellement pour la seurete de tous les Personnes qui devoient en ce Congrés; & sa Majesté nous à fait comprendre que quoy qu'elle soit sortie d'affaire avec la *Holland*, & par consequence, qu'elle n'a autre interest en cette assemblée que celuy qu'elle puisse continuer toujours pour travailler au Repos public de la Chrêtienté Elle ne laisse pas de nous ordonner tres expressement de faire sçavoir en tout temps & lieu convenablé, combien vifs sont les Ressentiments de sa Majesté de l'indignité fait dans la personne de Monsieur le Prince vôtre frere aux Roys & aux Princes, qui avoient sur la foy public establis cette assemblée en cette ville, en suite de quoy nous n'avions pas manques de dire bien au net les Sentimens dont nous sommes sur ce sujeɛt: & mesme nous sommes expliques fort particulierement là-dessus dans une conversation que nous

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ensmes l'honneur icy à huit d'avoir avec M. le Baron *de l'Isola*, qui puis bien voir qu'on ne sçauroit etre plus elloigné que nous le sommes de leurs sentimens qui tâchent à soutenir ou mesme à executer une violence si horrible sur la Personne d'un Ambassadeur. Ce sera, Monsieur, avec tout le zele possible que nous executerons tels Ordres qu'il plaira au Roy nous donner pour le bien ou Service de M. le Prince vôtre frere, estans, comme nous sommes avec une Veritable Passion, Monsieur, *&c.*

To the Lord Ambassador *Lockhart.*

Cologn $\frac{24 \text{ March}}{3 \text{ April}}$ 1674.

MY LORD,

WE have the Honour of your Excellency's most obliging Lines of the $\frac{12}{22}$*th* past to acknowledge; and therein the infinitely charitable Judgment you are pleased to make, of our little Capacities for his Majesty's further Service upon this Place. We have so much Reason to distrust ourselves, that our heartiest Wishes, and greatest Hopes are, the Mediation which your Excellency hath now proposed, may and will take such a Plie, as to be executed at *Whitehall*, under his Majesty's own Eye; and then, as our most gracious Master will have far better Heads and Hands to employ, so he will have the great Conveniency of interposing his own most excellent Judgment and Directions at every Turn, which will be of infinite Advantage to the Mediation he is pleased to undertake.

LAST Week the *Dutch* Ambassadors made a solemn Address to the Mediators, for a Categorical Answer to their old Demand of Passports to the *Lorain* Ministers; adding, by way of Intimation, that if those Passports were refused them, the Mischiefs of breaking this Treaty, and continuing this War, must lie at the Door of *France*, and not at theirs, that are forced to take other Measures: 'Tis possible that this Matter of Passports is revived at this Time, not so much in Hopes of a good Effect, as in Contemplation of having this Refusal to object and plead on that Side, in case the *French* should come to a Resolution of breaking up and withdrawing hence, for want of Satisfaction in the Prince of *Furstemburgh*'s Case. We have nothing by the last Ordinary from the *Palatinate*, nor any Thing to add, besides the Assurances of our being, with all Truth and Respect, MY LORD, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{24 \text{ March}}{3 \text{ April}}$ 1674.

MY LORD,

THE last we presumed to trouble your Lordship with, was of the $\frac{20}{30}$*th* of *March*, &c. of which we take Leave here to inclose a Duplicate, tho' the Matter of our Letter is of late grown, as your Lordship will have found, so very slight and trivial, that it seems not worth troubling your Lordship with Duplicates of them; and, in Truth, all Business seems so wholly and finally at a Stand here, so little Disposition, at least for the present, in the Parties, and so little Care and Concernment any where else, to revive the Negotiation, that we do not see when or

or how we are to hope, that it will ever be otherwise, at least not by any thing that is like to be done on this Side towards it.

We gave your Lordship an Account, in one of our Dispatches of the last Week, that the *Dutch* Ambassadors have received Orders once more to call upon the Mediators, for a direct and a precise Answer from *France* in the Matter of the *Lorain* Passports: Some Days afterwards, they did accordingly execute that Command, in a Memorial given in by way of Letter, a Copy of which we take Leave to send your Lordship here inclosed. To which the Mediators have not yet returned any Answer, nor so much as demanded hitherto of the *French* Ambassadors, what kind of Answer they shall make: their Intention being, as they say, to delay the Thing as long as they can in their own Hands, in Hopes still of gaining Time, till some lucky Crisis or other happen, to mend the State of Things; which the Mediators confessed to us, in a Visit we made them yesterday, looked at present very odly, especially here in the Empire.

We find, since our last, the College of Towns in the Diet at *Ratisbone*, have unanimously agreed with that of the Princes, in the Declaration we told your Lordship they had given, that the late Seizure of *Germersheim*, is a Contravention of the Peace of *Westphalia*, and that the Reparation of it ought to be prosecuted by the joint Force of the Empire. Thus far, we are told, the Thing has already proceeded in the Diet, and with great Heat and Animosity in both those Colleges; there remains only that of the Electors, to make it a compleat and solemn Judgment of the whole Empire; and in that, we are told, *Treves*, *Saxe*, and *Brandenburgh*, have already declared their Concurrence, only *Mentz*, *Cologn*, and *Bavaria*, have taken Time to consult their Masters about it; and it is concluded, the first will not long stand out in the Thing, or if he should, and so there happen to be no Vote in the College of Electors, it is believed the Emperor, as Head of the Empire, would go near to declare the Judgment compleat and entire, upon the Vote and Resolution of the other two Colleges, and so the War from henceforth to become a War of the whole Empire; which would very much alter the Case in all this Part of the World: Whether it be this new Appearance in the Affairs of the Empire, or whatever else it be, we have observed, as we think, a much greater Coldness and Indifference of late in M. *de l' Isola's* Discourse, as to any Thing of a General Peace, or the reviving the Negotiation of it, than formerly. We made him a Visit of Civility yesterday, but the whole Time passed in general Discourse, not a Word of the Peace, or any thing that looked like an Inclination towards it. One Thing we observed from him, that among many other Dissatisfactions that are observed to be among the Allies, the *Imperialists* begin of late to be much unsatisfied with the Count *de Monterey*, and his Proceedings towards the Empire; the Particulars M. *de l' Isola* did not name; but we imagine one Thing he meant is, the *Spaniards* ill Usage of late of the Bishoprick of *Liege*, which has so exasperated that Country, that it's said, they are resolved, not only not to hearken henceforward to any Proposition on the Part of the Emperor, or of that whole Alliance, but that they have actually demanded Contribution of the Neighbouring Parts of the *Spanish Low Countries*, in Reparation of the like Violences committed on them by the Count *de Monterey*. We find from another Hand, the States are not at all satisfied with some late Passages on the Part of the *Imperialists*, that is, they have expostulated very high, as M. *Smising* tells us, at *Vienna*, as if the Emperor had not acted this Winter with all that

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Sincerity towards them that he ought to have done, *i. e.* that there has been, and is some private Understanding between the Emperor and the Bishop of *Munster*, so as that the Emperor's Forces under *Sporke*, which are quartered in *Westphalia*, and the other Parts neighbouring upon the Bishop of *Munster's* Country, have been so far from acting against him, as the *Hollanders* pretend they ought to have done, that they have, on the contrary, shelter'd and covered all that Part of his Country, and so left him at Ease on that Side, to turn all his Forces upon the States on the Side of *Groninguen* and *Over-Issel*: M. *de Bournonville*, they say, continues resolved to quit the Service wholly, and not to have *de Souches* put over his Head in the general Command.

WE gave your Lordship an Account in our last, of this Elector having received notice from the Court of *France*, of the Offer his Majesty has made of his Mediation to the Most Christian King; in which, it seems, the Elector immediately returned his Consent, as your Lordship will see, by the Copy of the Letter he writ the next Day, in Answer to that of the Most Christian King, which goes here inclosed. However, we have perceived by the Discourse of the Baron *de Fraines*, that the Elector in a Manner expects his Majesty will please, for the Honour of it, to make something of the same Offer directly to him the Elector, altho' he have in the mean Time sufficiently declared his Acceptance of it, through the Hands of the Most Christian King; in which your Lordship will please to signify his Majesty's Commands, in Case it be thought fit that any Thing should be said to him in that Matter more expresly and solemnly, than what were at first proposed in the general, of his Majesty's being desirous to contribute in any Way that should be thought proper for the bringing on of a general Peace, *&c.* Which is a Thing, we have several Times, since the signing of our Peace, very expresly repeated to all the Parties here, and particularly to him, M. *Fraines*, on the Part of the Elector. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{27\ March}{6\ April}$ 1674.

MY LORD,

OUR last that we had the Honour to write to your Lordship, (which was of the $\frac{24\ March}{3\ April}$) was no sooner closed and dispatched away, but M. *Stradtsman*, Minister to the Duke of *Newburgh*, coming from *Dusseldorf*, (for he hath now of a good while discontinued his Residence among us in this City) brought us a Complement from the Duke his Master; wherein he did particularly congratulate to his Majesty, the Peace he now hath with the United Provinces; expressing it to be the great Hopes and hearty Wishes of his Master, that his Majesty may have, by Way of Enlargement to this particular Felicity, the Success and Glory of composing the remaining present Differences, and of giving an universal Repose to the rest of Christendom. The Duke (as he told us) assuring himself, there is no Prince in *Europe*, that hath that powerful Influence and Authority that his Majesty hath, to bring about so great a Work: He told us further, that the Duke his Master had sent him to Town at this Time, upon the earnest Invitation and Request of the Mediators here, to deliberate and resolve further upon the Matter of the *Tiers* Party, so much talk'd of four or five Months ago; the Mediators having, as he said, lately received Orders

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full and precise from the King their Master, to proceed to a Conclusion of some Points in that Negotiation of the *Tiers* Party. We have, in some of our former Dispatches, given your Lordship the Transcript of a Project drawn up by the Mediators, and the Ministers of the Duke of *Bavaria* and *Newburgh*, which, it seems, is the Subject Matter of their Deliberation at this Time; it consisted of two Points: The *one* was, to establish a defensive League mutually between themselves (with Liberty to all Princes to come into it) for the better preserving of their respective Countries; the Liberty of Commerce, and other Rights, from the Oppressions, Damages and Usurpations they may suffer, by the Forces of those who are Parties to this present War; and for that End, their Troops and Subsidies were to be ascertain'd by a *Quota*, as should be agreed on among themselves. The *other* principal Point was, that these Confederates should agree among themselves, upon a certain Plan of reasonable Conditions, to be by Way of amicable Offices proposed and offered to the Parties in War, as fit for them to accept of, and make a Peace upon; and in Case such a Plan should be refused, that then the *Tiers* Party should, with common Advice and Consent, bethink themselves of other Means, more efficacious to bring the Party refusing to Reason; such as is the denying of Passage or Quarters to his Troops in any the Territories of the *Tiers* Party, and to call into their Aid, if need should be, the Party opposite to him that should so refuse their Plan, in Case he should do or attempt any Thing prejudicial to any Member of the *Tiers* Party.

To the first of these Points, the Mediators have, they say, full Power (and so hath the Minister of *Bavaria*) to consent to it, and conclude it: But the second Point, of offering a Plan of Conditions to the Parties in War, is not to be meddled with at this Time, the Mediators not being, as they say, instructed in it. Monsieur *Stradtsman* did, after he had given us this Account, express it to be very much his own Wish (for he did not deliver it as his Master's or the Mediators) that the King our Master would please to do this *Tiers* Party the Honour, to enter into it; and the rather, in that his Power and Authority would rank him most justly in the Head of the whole Party; adding, that his Majesty and the King of *Sweden* joyn'd together, would be able to do every Thing that can be hop'd for in this Conjuncture towards the General Peace. This gave us Occasion to enter into some Enquiry with him, how, and by what Means, his Majesty (if the *Tiers* Party did desire, and think it their Interest to have his Majesty enter in this League with him) would be instrumental to those Ends of promoting a general Peace, which they proposed to themselves; and the rather, in that this League seemed to be calculated wholly for the Defence of such neuter Princes in the Empire, as might, upon the casual Motions of Troops up and down in it, be oppressed and ruin'd without such a Combination to awe the Parties in War: Besides that, there would be a Difficulty for his Majesty (by Reason of the great Distance of his Kingdoms) to act by his Forces with Effect and Advantage, as to receive any Benefit himself from the *Tiers* Party upon those Emergents, that it would principally provide against. M. *Stradtsman*'s Answer was, that as they of the *Tiers* Party were not only to defend each other's Countries, but also to maintain and preserve the Commerce and Rights of each other: So his Majesty might, if this War should long continue, find himself concerned, by Prejudices and Damages that would accrue to the Commerce of his Subjects from his Neighbours in the United Provinces and *Spanish Netherlands*, to make use of the

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Forces of the *Tiers* Party, to press upon either of those *Netherlands*, and to oblige them to Reason, in case they should be injurious to his Commerce: In the same manner the King of *Sweden* and the Princes of the Empire here, would find themselves obliged, if the Emperor should continue this War without just Cause, or go beyond his just Bounds in it, to defend their Countries with these Forces, and to dispose him to accept of a reasonable Peace. Thus he conceived, he said, that the Offices of the *Tiers* Party, and, if need were, their Forces too, might be applied by his Majesty to *Spain*, and the States General, and by *Sweden* and these Princes to the Emperor, as Occasion should require, for the mutual Indemnity of all the Princes concerned, and for the awing of the Parties now in War, so as not to refuse a Peace when it is offer'd them.

We are apt to think, that tho' the Mediators have not discoursed any Thing to us upon this Subject, yet that they imployed M. *Stradtsman* to make us this Overture, they not knowing which Way to turn themselves with any Probability of bringing about a General Peace, in their present Figure of Mediators. M. *Stradtsman*, in this Conversation, mingled much of the Duke his Master's Sufferings, from the Garrisons of *Venloe*, *Ruremonde*, *Erklens*, &c. the Count *de Monterey* being so much the more implacable, as his Exactions and Oppressions upon the Dutchy of *Juliers* are without Measure; notwithstanding the earnest Intercession of the Emperor himself for the Duke, as also of the Ministers of *Spain* that are in this City; which hath caused the Duke to have Recourse to his Majesty, by a late Letter upon that Subject; the Duke professing very much to depend upon his Majesty's Favour and Protection, in this and all other his Concerns in the present War.

On *Wednesday*, as we dined with the *Dutch* Ambassadors, they took Occasion to enlarge much in their Complaints of the Mediators, that they had suffer'd them and their Opposites to be here so many Months, without proposing any Thing to them of Matter to enter upon; and particularly, that they had not shaped those two Points, of the *Lorain* Passports, and of Prince *William*'s Relaxation, into Heads or Preliminaries to be treated upon, which must be done before it be possible to enter into any other Matter, and the Merits of each Parties Pretensions can come in Debate; intimating, that if they, the *Dutch* Ambassadors, had had a View given them, that Satisfaction might have been had from *France*, in the Matter of those Passports, they would have employed their very best Offices to have Prince *William* set at Liberty: We are not wanting, as Occasion offers itself, to let them see, how powerful and efficacious, at least in our Judgment, the Offices and Instances of the States their Masters would be, in order to a General Peace, if they should resolve to interpose heartily with their Allies the *Spaniards*, especially in representing to them the Hazards of this War, and how preferable an honourable safe Peace is at all Times, even in the most promising Aspect of Affairs. Their Return to all our Arguments still was, by way of Complaint of the Mediators, asking us still, why the Mediators did not press them with such Arguments and Reasonings? Never taking any Occasion to say, that the Mediation which the King our Master hath now offered, may in good time remedy or supply what they seem now to wish for from the Offices of the King of *Sweden*; nor have they in this, or any other Conversation we have had with them, taken any Notice, or made any Mention, of the Offer which his Majesty hath made, (which is so notorious here) of his Offices to the Most Christian King.

Thus

THIS we conceive to be our Duty, humbly to obſerve to your Lordſhip, the rather, in that we have not only met with no Congratulation upon this Occaſion to the Publick on that Side, but alſo that in ſeveral Converſations with the *Dutch* Ambaſſadors, the Emperor's Ambaſſadors, and their Partiſans, when the Diſcourſe hath lead in a manner neceſſarily to ſpeak ſomething upon that Subject, the whole Matter hath been ſtill paſſed over with a Silence, which ſeemed to us more than ordinarily affected: Beſides that, that whole Party do deliver it as their Judgment upon all Occaſions, as we are credibly informed from ſeveral Hands, that the Court of *England* ſtill retains the ſame Affections it had in the Beginning of this War for the *French* Intereſt.

ON *Wedneſday* laſt, the *French* Ambaſſadors received their Orders to leave this Place, and to return Home, together with the Memorial here incloſed; wherein are deduced their King's Reſentments of Prince *William*'s Affair, as the Cauſe of his calling his Ambaſſadors away from this Aſſembly; they communicated it forthwith to the Mediators and to us, and they do declare to all Perſons, their Reſolution of departing hence, as ſoon as they can procure the Paſſports neceſſary for them, which they were yeſterday to demand from the *Dutch* Ambaſſadors and the *Spaniſh* Miniſters here; ſo that they make Account, they will be in a Readineſs to leave this Place within 10 or 12 Days at furtheſt. The Mediators are much ſurprized and troubled at this News; they are reſolv'd, as Count *Tott* told us, to put out a kind of a Proteſtation of their Diligence and Zeal, againſt thoſe that break off from this Aſſembly: In the ſame Inſtrument they will, they ſay, invite both Parties with Solemnity, the *French* to remit of their Rigour, whereby they refuſe Paſſports to the *Lorain* Miniſters; the *Imperialiſts* to reſtore the Prince of *Furſtemburgh* to his Liberty: This, they ſay, they are diſpatching with all Haſte poſſible to the Courts of *Vienna* and *Paris*; but 'tis generally thought they will come too late. The two laſt Ordinaries having brought us no *Engliſh* Letters at all, we have no more at this Time, but to aſſure your Lordſhip that we are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{31 \text{ March}}{10 \text{ April}}$ 1674.

MY LORD,

SINCE our laſt, which was of the $\frac{27}{6}$*th*, we have had the Honour of your Lordſhip's of the 20*th* of *March*; by which we find your Lordſhip had already foreſeen, by ſome Hints of M. *de Ruvigny*'s on that Side, what your Lordſhip will have underſtood by our laſt, to have fallen out indeed to be the Caſe here; that the Moſt Chriſtian King, upon the Emperor's Anſwer to M. *Puffendorff*'s Repreſentation in the Matter of Prince *William* of *Furſtemburgh*, hath order'd his Ambaſſadors forthwith to quit this Place, and to return. At firſt the Town ſeemed to believe this was only a Grimace in the *French* Court, to bring on the Emperor towards ſome reaſonable Satisfaction in the Point of Prince *William*; but finding the Ambaſſadors in ſo great earneſt in the Thing, as immediately to demand Paſſports from the Miniſters of *Spain* and *Holland*, and the very next Day after the receiving of thoſe Orders, to begin to make their Adieus, they ſoon came to be of another Mind; and now that actually the Ambaſſadors have unfurniſhed their Houſe, and broken up their Family, with Reſolution themſelves to begin their

Journey on *Monday* next, every body looks upon the Thing as done, and this Assembly broken up and dissolved past Hopes of a Recovery: In the mean time, the Mediators, as we acquainted your Lordship in our last, have dispatched away to their Ministers at *Vienna* and *Paris*, to try once more, whether it be possible to obtain some Accommodation in the Point of Prince *William*, and in the mean time to get a Suspension from the Court of *France* to those last Orders for recalling the Ambassadors: The Magistrates of this Town have likewise been as well with the *Swedes* Ambassadors, as with the Nuncio, to engage their Offices with the *French* Ambassadors, that they will at least allow them, the Magistrates, to send an Express to *Vienna* once more, to try what the Emperor will please to do in the two Points of Prince *William* and the Money; in which last, they have declared, in case the Emperor shall continue still to detain it, they must be obliged to make it good; but the Orders to the *French* Ambassadors being peremptory, and all that is offer'd on the Part of the Mediators, or the Town, being but a bare Repetition of Offices, which have already been neglected and refused by the Emperor, the *French* Ambassadors continue resolved on their Return, and actually to begin their Journey on *Monday* next.

By their Example, M. *Fischer*, one of the Emperor's Ambassadors, is likewise preparing for his Return, having to that End demanded Passports of the *French* Ambassadors for his Goods and Family, which he means to send up by Water Home to *Friburgh* in *Brittgaw*, the usual Place of his Abode, and must therefore pass before *Philipsburgh* and *Brisack*: M. *de l' Isola* at the same Time talks of removing, but whither 'tis not said; one while he talks of making a Turn to *Vienna* for some Time, another while he gives out, as we are told, that he is to return to the *Hague*: However it be, the Assembly is looked upon as so absolutely dissolved, by the withdrawing of the *French* Ambassadors, that every body is preparing to be gone as fast as they can; and tho' we judge it for his Majesty's Service to be of the last upon the Place, and even to affect to interpose what Offices we can with the *French* Ambassadors, to have them stay and expect what may be the Effect of the Mediators last Instances with the Emperor; yet we are in the mean time ordering our Matters underhand, to be in a Readiness, upon the first Receipt of his Majesty's Commands, after the *French* Ambassadors shall be actually parted, and other Publick Ministers in a Posture to follow, to part with all the Speed conveniently we can; resolving, for the Ease, as well as the Thrift of it, to take our Way by Water through *Holland*, as well for our Persons, as our Goods and Servants.

In our passing, we know not what may be his Majesty's Pleasure, as to our waiting on the Prince of *Orange* at the *Hague*, or not; *i. e.* whether it may be expected, in Decency from us, that in our Passage we should take our Way by the *Hague*, to do our personal Respects to the Prince of *Orange*; in which we should humbly beg your Lordship to discover what would be most agreeable to his Majesty's good Pleasure.

As to the Matter of the *Palatinate*, the last Letters from *Ratisbone* say, the Deputy of the Elector of *Mentz* having consulted his Master, as to the Vote of the other two Colleges, declaring the Seizure of *Germersheim* to be a Contravention of the Peace of *Westphalia*, had immediately received Orders to conform himself to that Opinion; as now that Resolution had likewise passed the Electoral College, and by consequence is now become the Declaration of the whole Empire; which infinitely exalts that Party, as a Thing they conclude will at once change

change the whole Face of Affairs, and immediately ſet the Intereſt of the Houſe of *Auſtria* in the ſame Height and Prevalency, thoſe of *France* have of late Years held in the Empire. One of the firſt Conſequences this Reſolution is expected to have is, that as well the Elector of *Cologn*, as the Biſhop of *Munſter*, ſhall be obliged, as Princes of the Empire, and who are therefore by that Determination to joyn with the Body of the Empire, in the Vindication of thoſe Infractions of the Peace of *Munſter*, that are charged on the *French*; and conſequently to quit and renounce all Engagements, of what Nature ſoever, with the Crown of *France*: This is apprehended will be one Uſe the Emperor will make immediately of this Reſolution; and, we are told, this and ſome other Fears that have taken the Elector, upon the ſeparating this Aſſembly, have ſo far wrought upon him within theſe 3 or 4 Days, that the *French* Ambaſſadors are verily perſwaded, that they ſhall not be able to preſerve him many Weeks, nor ſcarce many Days, in their Alliance, after their Backs are turned of this Town.

What the Biſhop of *Munſter* is doing, we do not hear certainly; but by all we could gather from the Diſcourſes of M. *Smiſing* upon this Subject, he will take the firſt fair Opportunity he can, to make his own Accommodation with *Holland*, eſpecially if it be true what was told us yeſterday by the Prince of *Baden*, that General *Rubenhaupt* hath fallen upon him with 10 or 12000 Men near *Niewhuys*, in the County of *Benthem*, and utterly routed his whole Force.

We perceive the Duke of *Newburgh* is putting in hard for the Crown of *Poland* for his Son: M. *Stradtſman*, he that has appeared in his Affairs in this Aſſembly, being order'd in 2 or 3 Days to part Poſt in all Haſte for *Warſaw* upon that Occaſion. Letters from *Vienna*, by the laſt Ordinary, ſay, Prince *William* of *Furſtemburgh* was expected there in 4 or 5 Days, being already arrived at *Brinn*, a ſtrong Caſtle in *Moravia*. That it was believed he would be privately examined, as to ſome ſecret Matters, before the Emperor himſelf, and ſo ſent to *Newſtadt*. There is a Suſpicion, as if one of the great Matters they will preſs to get out of Prince *William* is, to diſcover who they are of the Miniſters and others about the Emperor, that have had any Correſpondence at any Time with the Court of *France*; which points at the Prince *de Lobkowitz*, whoſe Ruin, it ſeems, the *Spaniſh* Faction, under the Credit and Authority of this new Favourite *Hocker*, are driving at with all their Might: And therefore endeavour to make ſome Diſcovery by Prince *William*'s Examination, if poſſible to undo him that Way.

This we have from a very good Hand, and that poſſibly was one of the greateſt Ends that Faction had in ſeizing the Prince. We are, &c.

To the Earl of *Arlington*.

Cologn 3/13*th April* 1674.

My Lord,

SINCE the laſt that we preſumed to trouble your Lordſhip withal, which was of the 31 March/10 April, a Duplicate whereof we take Leave here to incloſe, we have the Honour of your Lordſhip's of the 23*d* paſt to acknowledge; and therein the Notice your Lordſhip is pleaſed to give us of his Majeſty's moſt gracious Pleaſure, that we ſhould come away from this Place with all Speed: It is, My Lord, with all the Joy imaginable, as well as Obedience, that we prepare for our Journey;

and we ſhall haſten all we can poſſibly, to throw ourſelves at his Majeſty's Feet, to beg his Moſt Gracious Pardon; and therein we ſhall very much need your Lordſhip's Interceſſion, for the many Failings we have been guilty of, in the Courſe of this unfortunate Treaty: And tho' the common Fate of thoſe Miniſters, who have laboured here all in Vain, as well as ourſelves, may render our Caſe more capable of his Majeſty's wonted Clemency and Pardon; yet we muſt acknowledge, that we have a Calamity peculiar to ourſelves, and to our own Breaſts, in that his Majeſty having, by an infinitely gracious Opinion of our Dutifulneſs, devolved ſo great an Honour, and ſo important a Truſt upon us; we have not been able to let the World ſee that Zeal and Paſſion we brought along with us for his Service, in ſuch a Proportion as might ſuit with that deep Senſe we have, of that Royal Grace, and Infinite Goodneſs, wherewith his Majeſty had deſcended to ſingle us out for this Poſt.

YESTERDAY in the Evening, as ſoon as the Honour of your Lordſhip's Letter came to our Hands, we went and acquainted the Mediators with the Notice we had had of his Majeſty's Pleaſure, touching our Return; this ſurprized them ſo much, that it was a Wonder to us, (having prepared them in ſeveral Converſations, to expect no other than ſuch News, and that very ſuddenly too) to ſee ſuch a Mixture of Aſtoniſhment; and, as it were, a Dejection appearing in M. *Ehrenſteen's* Countenance, as ſoon as we mentioned the Orders we had received. They entered forthwith upon ſeveral Arguments, to perſwade us not to order our Departure hence, till they have an Anſwer to their late Addreſs to the Emperor, which they expect within eight or ten Days at furtheſt; and hope (they ſay) it will be favourable for Prince *William's* Relaxation. We told them, his Majeſty's Pleaſure for our returning was preciſe; and that we ſeeing the *French* Ambaſſadors will be gone hence on *Monday* the *16th*, without further Remiſe, (as the King our Maſter had been inform'd they would) had no diſcretionary Liberty left us to ſtay any longer, than were neceſſary to procure ourſelves Paſſports from *Holland*, and make ourſelves ready for our Voyage; wherein we were commanded to uſe all Diligence: That the waiting for our Paſſports from *Holland*, would ſpend us eight Days Time or thereabouts; and that we would have all Things ready by that Time they could be obtained and ſent us; and would, upon the receiving of our Paſſports, immediately leave this Place, unleſs ſuch a Change in Affairs ſhould offer itſelf in that Interim, as would be likely to bring the *French* Ambaſſadors back again hither; (ſuch as we conceived the Relaxation of Prince *William* would probably do) that then, and in that Caſe, we would diſpatch a Courier to our Maſter, to know his Pleaſure upon the Emergent; and would not purſue our Voyage, till we ſhould receive an Anſwer, and further Orders: Here Count *Tott* took Occaſion to repeat what he had by ſtarts, and by the by (as it were) hinted to us, in private Diſcourſes two Days before, and ſince the laſt Ordinary, but with ſome Variations from himſelf: It was, that they had, by their laſt Letters from *Sweden*, underſtood, that upon the News of the Peace between *England* and *Holland*, there had run a Report in *Sweden*, that the King our Maſter would offer his Mediation to the Parties in War, and that there would be poſſibly ſome Difficulty to get it accepted; that thereupon their King had ſent them expreſs Orders, to joyn in all Readineſs with us, and to admit us into a Conſortſhip with them in all the Parts of their Negotiation; taking care, as they were charged, to avoid and prevent all Difficulties, that the Matter of Competence

petence (as he worded it) might raise between us; telling us further, that tho' they in *Sweden* had not heretofore much dissembled their Unwillingness to joyn in any such Mediation with *Denmark*, yet that the Sense of their Court was quite otherwise, if Occasion should offer it self, to joyn with *England* in the Mediation: This he insisted upon as a Demonstration, that the Friendship between the two Crowns, is not only sincere, but inseparable; which M. *Sparr* had Orders to declare to his Majesty more at large, both in letting him see the Deference their King hath to his Majesty's Occasions, that brought him to make a Peace; he having not shewed any Dissatisfaction at that separate Peace, nor made any Enquiry into his Majesty's Reasons or Inducements for so making it, without taking in *Sweden*; and also in assuring his Majesty, that nothing can be more acceptable to their Master, than a Conjunction with his Majesty, in carrying on this important Affair of the Mediation. M. *Ehrensteen* added, (which Count *Tott* confessed he had forgot to acquaint us with in former Conversations) that their last Orders from *Sweden* were express to use, if need were, all Instances possible with the *French* Ambassadors here, to have his Majesty's Mediation accepted of in the Court of *France*, and to have our Offices here admitted in every Thing, where they, the *Swedish* Ambassadors, should interpose.

Tho' this was not imparted to us in Form, but by Way of Conversation only; yet we think it our Duty, humbly to lay before your Lordship the Detail of it; because, touching the Subject of his Majesty's entering into the Mediation, they have been, till within these two or three Days last past, altogether silent, as well as the Ministers of the *Austrian* Side.

We know not well what to impute this Change to, unless it be, to the Apprehensions they have, that their Mediation here is even expiring, and therefore have their Recourse to his Majesty's Authority, to keep it alive if possible; nor can we perceive, that they intend any Thing else this Summer, than to persist in their Figure of Mediators; for they do not now talk as they did in the Beginning of last Summer, that they have Troops coming over into *Germany*, much less, that they will oppose the Emperor's March; for it appears, that they have now (especially since the whole Empire hath joyn'd in a Declaration to drive all Stranger Forces out of its Limits) no further Thoughts of forming the *Tiers* Party into a League; all that they now pretend to is, that the King our Master, the King of *Sweden*, and the Elector of *Brandenburgh*, may not, as Confederates in a *Tiers* Party, but as great Princes, who have a Concern and Zeal all three for the Repose of Christendom, and the two latter, a special Interest in the Peace of *Westphalia*, use their separate Offices and Instances with the Parties in War, to accept of a safe and reasonable Peace, in Regard the Fortune of this next Campaign may bring such a Change into Affairs, on the one Side or the other, as that the Treaties of *Westphalia* and *Aix la Chapelle* may cease to be the Measures, as now they are, for composing Differences; so that all Parties shall be left without View or Hopes of Means, to be brought together again, and united in a general Peace. One Argument Count *Tott* told us he had used to M. *Beverning*, in Order to dispose him to work the *Spaniards* to Reason, somewhat surprized us; it was, that they, the *Dutch*, must not flatter themselves, that the Peace with *England* is now so firm, as is generally imagined: The Controversies of the *East-India* Trade must be first settled, and that (he said) will never be done to Purpose but in a general Peace,

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he eſteeming the ſettling of the Point of Commerce, to be the true and real Ratification of that Peace. To all this we conceived, that as Things now ſtand, we had no more to Reply, but that there was no Argument to be drawn againſt the Firmneſs of our Peace with *Holland*, from the Points of Commerce that remained yet undecided; that his Majeſty's Inclinations to a Peace, as well as his Intereſt in the quiet Settlement of the Prince of *Orange*, would not ſuffer the leaſt Jealouſy or Coldneſs to ariſe and appear of his Side againſt the States General; and that his Zeal for the univerſal Repoſe of Chriſtendom, would engage him in all Endeavours imaginable on his Part to procure it; and eſpecially, to joyn with the Crown of *Sweden* in ſo meritorious a Work, and to have all Complaiſance for that King, that may be a Means to confirm and ſecure inviolably ſo ſtrict a Friendſhip as now is between the two Kings.

SINCE our laſt, M. *Spanheim*, Reſident to his Highneſs the Prince Elector *Palatine*, writ us the Letter, and ſent us the Paper incloſed, being a Complaint, that ſome Companies of *Scotch* and *Engliſh* had been employed in demoliſhing the Walls of *Germerſheim*.

UPON the beſt Computation we are hitherto able to make of our Voyage, we reckon that we ſhall not be going hence before *Monday* the $\frac{13}{23}$*d* Current; and being told, we muſt Account ſix or ſeven Days to go down the River, we think we ſhall not reach *Rotterdam* before the $\frac{20}{30}$*th* of this Month; ſo that if your Lordſhip ſhall happen to think of any Orders relating to our Government, in Caſe his Highneſs the Prince of *Orange* ſhould be in the Country as we paſs through it, we ſhall hope to have the Honour of Meeting them at *Rotterdam* about that Time; as alſo with an Intimation of his Majeſty's gracious Pleaſure, which we beg leave to ſubmit ourſelves to for our Paſſage into *England*, where we promiſe our ſelves the Happineſs we have ſo paſſionately long'd for, of aſſuring your Lordſhip, *viva voce*, that we are,

MY LORD, &c.

To Mr. Secretary *Coventry*.

Cologn $\frac{7}{17}$*th April*, 1674.

SIR,

WE have the Honour of yours of the 27*th* paſt to acknowledge, and therewith his Majeſty's Letter to the Emperor, as alſo the Copy of it, and of M. *Sparr*'s Memorial upon that Subject: We cannot think of a fitter Hand to lodge the Letter in, both for a ſafe and a decent Conveyance, than M. *de l'Iſola*, ſince his Majeſty hath no Miniſter of his own at *Vienna*: We ſhall endeavour to accompany it with all decent Expreſſions of our Duty, in repreſenting the Zeal of our Maſter, which induces him to offer his Mediation, in Order to a general Peace, and to concern himſelf (as he is pleaſed to do) for Prince *William*'s Relaxation, as a Means to facilitate it, at leaſtwiſe as an Expedient, without which, it will be in a Manner impoſſible to diſpoſe the oppoſite Party to hearken to any Overture upon the Subject Matter and Conditions of the Peace. This Elector, we doubt not, will haſten the Letter to the Emperor for a very ſufficient Reaſon, that the Anſwer to his Letter hath not been diſpatched by the ſame Poſt. On the $\frac{13}{23}$*d*, we hope, GOD willing, to take leave of this Place (the *French* Ambaſſadors having done ſo yeſterday) and would take it for a great Honour,

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to meet with any of your Commands at *Rotterdam*; in the executing whereof we might approve ourſelves, Sir, *&c.*

To the Earl of *Arlington*.

Cologn $\frac{7}{17}$*th April* 1674.

My Lord,

THE laſt we preſumed to trouble your Lordſhip with, was of the $\frac{3}{13}$*th*, ſince which we have received the Honour of your Lordſhip's of the 27*th* paſt, incloſing his Majeſty's Letter of that Date for our formal Revocation. We were already preparing ourſelves for our Return, upon the Signification your Lordſhip had been pleaſed to give us, by your Letter of the 23*d*, of his Majeſty's Pleaſure in that Particular; and the *French* Ambaſſadors having, in Purſuance of the Orders they had received, actually left this Place yeſterday Morning, we are now fitting ourſelves with all the Speed poſſible we can to follow: We have already made our Viſits of Adieu, to moſt of the Publick Miniſters, and hope to begin our Journey on *Monday* next, the $\frac{13}{23}$*th* Inſtant, down the River, and ſo through *Holland*. We are told, it will coſt us 5 or 6 Days to reach *Rotterdam*, from whence, with his Majeſty's gracious Favour, we think it will become us, in caſe the Prince of *Orange* be at the *Hague*, or other where next our Way in our Paſſage, to wait on his Highneſs as we go by, to pay him our perſonal Reſpects; which may take a Day or two longer; but not ſo as to loſe us more Time than what would be otherwiſe required for the Lading and Unlading our Goods at *Rotterdam*, where we muſt be forced to change Veſſels, thoſe that carry them hence being not of a Force to ſuffer the Sea. This being put together, will reach, as near as we can judge, to about the 23*d* or 24*th* of *April, O. S.* by which Time we reſolve, God willing, to be at the *Brill*, to take ſuch Conveniency for our Paſſage over, as his Majeſty ſhall think fit to appoint us; or otherwiſe ſuch as we can find upon the Place, in caſe none be ordered us from *England*, rather than to loſe Time in expecting any from the other Side. We have in the mean time deſired Sir *Gab. Sylvius* at the *Hague*, and Mr. *Tuckir* at *Rotterdam*, to receive what ſhall come for us from *England*, in caſe his Majeſty ſhall find fit to give us any Commands in our Paſſage through *Holland*.

We find the Town after all a little ſurprized at the *French* Ambaſſadors Departure; the *Imperial* and *Spaniſh* Miniſters having all along, in all Companies, till the very Morning they ſaw them depart, given out, this was but a Grimace in the *French* Ambaſſadors, and they ſaid, we ſhould find at the End they had never intended it: Nay, *de Lyra* went ſo high in the Point as to ſay, they would not have the Courage to do what they ſaid: The Ambaſſadors were no ſooner out of the Town, but we immediately found every body preparing to follow as faſt as they could. The *Swedes* Ambaſſadors are in Thoughts of paſſing into *Holland*, there to expect further Orders, and to watch how the World is like to go in the mean Time. M. *de l'Iſola* talks of going to *Bonn*, till he can receive the Emperor's Pleaſure how to diſpoſe of himſelf: What the *Spaniſh* Miniſters will do, we do not yet know here; only we find by M. *Beverning*, who dined with us yeſterday, that the *Dutch* Ambaſſadors cannot prevail with *de Lyra*, to go down with them into *Holland*, as, it ſeems, they had deſired he would; which we perceived

troubled

troubled them not a little, as marking an ill Complexion on the Part of *Spain* towards any sudden reviving of a Negotiation in order to the Peace.

We find, that as well this Elector, as the Bishop of *Munster*, having received the Most Christian King's Approbation and Allowance of it, are treating as fast as they can, each apart and for himself, the first with the Emperor, and the other with the *Dutch*; and as the Most Christian King is obliged to lay his Scene for the next Year's War, we cannot see but as well the one as the other despairing of any considerable Succour from *France*, whereby to enable them to defend themselves, in case they had otherwise the Will to do it, we do not see but they will be forced to conclude upon such Terms, as the others will be willing to allow them. We are, *&c.*

To the Earl of *Arlington.*

Cologn $\frac{10}{20}$*th April* 1674.

My Lord,

In the last we presumed to trouble your Lordship with, which was of the $\frac{7}{17}$*th*, a Duplicate whereof goes here inclosed, we acquainted your Lordship with the Preparations we were making, in Obedience to his Majesty's Commands, for our speedy Departure hence; and that we intended to begin our Journey on *Monday* next, the $\frac{13}{23}$*th* Instant, which Term being now so nigh at Hand, we are endeavouring to pack up our Goods as fast as we can, and we hope the Hurry which always precedes a Journey such as this, will serve to plead our Excuse with your Lordship, if we take the Liberty to make our Dispatch more short at this Time, than your Lordship might possibly expect.

We must not omit to give your Lordship an Account, that we have left his Majesty's Letter to the Emperor, in the Hands of M. *de l'Isola* and M. *Fischer*, his two Ambassadors here; they received it with Expressions of the highest Respect to his Majesty, assuring us, they doubted not in the least, but the Offer of our Master's Mediation would be very acceptable to his *Imperial* Majesty: We having thought it our Duty to attend the Delivery of it, with the best Representation we were able to make, of his Majesty's Royal Sense and Judgment, upon the Obstacle that the *Enlevement* of Prince *William* would bring to all future Treaties. M. *de l'Isola* said, he had done his little Offices in all Things he was able upon that Subject; that he was perswaded his Majesty would do a great deal for the Peace's Sake; but then that it was but just, that if he should sacrifice his present Resentment to the Publick, he might be *à couvert* from the like Injuries for the future. As far as we can gather from his Discourse, there is nothing of violent Proceedings intended against Prince *William* in the present Measures; only the Emperor will not probably lose his hold of him till the Peace be assured. He told us, that the Emperor having commanded his and his Collegue's Advice, touching his accepting or not, of the Mediation of *Sweden*, they had given their Opinion, it should be accepted of; to which the Emperor inclines very much, and that they will *opine* the same (M. *de l'Isola* said, out of his particular Knowledge of his Majesty's just and generous Inclinations) upon this Offer which his Majesty makes: But that they are to seek very much what to advise (their Opinion being called for) upon their Confusion, or rather Incompatibility that will fol-

follow, if the Pope will, as he seeks to do, enter into this Mediation, the King of *France* hath accepted his Mediation already; and tho' the Queen of *Spain* hath deferr'd to give any Resolution, till she know what the Emperor and her other Allies will do; it is certain by what the Nuncio here gives out, that the Emperor hath already accepted it likewise; but M. *de l'Isola*, upon Conference had with the Nuncio, cannot (he says) find the Difficulties that will arise can be solved by any Method that the Nuncio hath yet thought of. On *Monday* next, the $\frac{13}{23}$*th*, we doubt not, GOD willing, but we shall set out hence down the River; but all tell us, we shall not be able to reach *Rotterdam* in 6 or 7 Days; where we hope to meet with the Honour of your Lordship's further Commands. We are, *&c.*

To the Earl of *Arlington.*

Hague $\frac{21 \text{ April}}{1 \text{ May}}$, 1674.

MY LORD,

WE set out of *Cologn* on *Wednesday* the $\frac{15}{25}$*th* of *April*, at 4 in the Morning; we dined that Day at *Dusseldorp*, at the Duke of *Newburgh's*, where we were received with all the Demonstrations of that Respect, which the Duke professes always to have for his Majesty. We will not trouble your Lordship with the Particulars of the Military Parade, or of any other Part of the Entertainment, all which was in very great Pomp, and very good Order; but the Satisfaction and the Pleasure which the Duke himself took in that Opportunity, to publish and to reiterate the Devotion he hath for his Majesty's Person and Service, did outshine every thing else; and made it appear, that that Prince hath all the Veneration imaginable for his Majesty. The Duke was not pleased to enter into Business further with us, than to enlarge into a judicious Discourse of the present Posture of Affairs, wherein he did remark, that some harsh Carriages of the *French* towards the Princes of the Empire, had been very prejudicial to *France*; he seemed to apprehend, that the Emperor does promise to himself a considerable Accession to his present Greatness, from the Posture his Affairs are now in; and that the Princes of the Empire may easily see what Height of Power he proposes to himself, from the blind Obedience he requires from the Elector of *Cologn* at this Time; it being one of the Conditions upon which the Emperor offers him a Peace, that he, the Elector, should oblige himself to a Treaty, not to dissent from the House of *Austria*, but to joyn all his Votes with it in the Affairs of the Empire.

HE did much bemoan the Miscarriage of that Project (which he own'd to have given the first Rise to) for a *Tiers* Party in the Empire; concluding, that now it was too late to expect the knitting of it; that most of the Princes of the Empire had already taken Part with the Emperor; tho' he seemed to promise to himself, that the Elector of *Brandenburgh* would keep himself within the Bounds of a strict Neutrality: He seemed to impute the Miscarriage of the Project for a *Tiers* Party, to the Slowness of *Sweden*, and the Irresolution of the Duke of *Hanover*: He complained very much of the *Spaniards* continuing their Oppressions still upon his Subjects, desiring his Majesty's Offices and Protection to him, as Occasions should now offer themselves to his Majesty in the Figure of Mediator.

We took Leave of the Duke in the Evening, and lay that Night before *Keyserwert*, where we had the Opportunity of waiting on the Bishop of *Strasburgh* for some Hours; his Resolution, he told us, was, to march and leave that Garrison, whenever the *French* Troops do march; and, he says, the *French* will suddenly march 24000 Men, where their Enemies do not so much as suspect any Appearance of Force to come out against them.

On *Thursday*, *Friday*, and *Saturday*, we passed by the several Places, which we cannot say the *French* are possessed of, but rather, are now leaving upon the *Rhine*.

We met with the usual Civilities in most of those Places, without any Stop or Visit in our Course; on *Saturday* an unhappy Accident overtook us, which, tho' unforeseen and unavoidable on our Part, is so much the more a Trouble to us, as that it will make a great Noise, and in a manner engage his Majesty to take Notice of it.

As we were passing between *Nimeguen* and *Tiel*, down the *Rhine*, a Foot Company of *Swisses* (as they proved afterwards to be) discovered itself marching upon the Bank-Side up the River; they were going from Fort St. *André* (which is now quitted) to *Nimeguen*; ten Men of them and a Serjeant, were advanced some scores before their Baggage, and the Body of the Company, and three of those ten came down the Banks close to the Water-Side, took Aim at our Vessel, and shot each Man a several Shot with Bullet, the one whereof hurt the Steersman then at the Helm, shooting him through the Hand; the other hurt Captain *Bates*, one of the Company, grazing the Tip of his Nose; I, Sir *Joseph Williamson*, stood close by the Steersman when he was hurt; the third Shot was into a little Boat, where several of our Company were at that Time, but it did no Hurt. Their Design, no doubt, was Booty; nor did they know, at least take Notice, of his Majesty's Colours, tho' they were on both the Boats. When we saw this violent Assault, and that they charged their Guns again, we went both of us, with some few of our Company, on Shoar; as soon as they perceived who we were, they fled; by that Time we landed, their Officers were come up to the Body, who proved the one to be the Governor of Fort St. *André*, who had left it that Morning, and was going along with this Company (which he had had with him in that Fort) to *Nimeguen*, his Name was, *Le Chevalier de Finisse*, and by the Cross he wore, was a Knight of *Malta*; the other was a *Swiss*, Col. *d'Andrillon* they called him, and he had the Command of the Company, which was a *Franche* Company: The Chevalier bestirr'd himself handsomely, pursued the three Fellows, and having taken them and the Serjeant, arrested them for Prisoners, and *garrotted* them to Purpose: The *Swiss* was very old and maimed, and tho' he did not express the same Concern, nor possibly understand the Nature of the Affront with the Chevalier, he saying nothing, but the Chevalier still crying out, *il va de ma Teste*, yet the *Swiss* was not the less troubled at the Accident; which we think our Duty to mention, because 'tis possible, that when this Affair comes to be taken Notice of to the Most Christian King, his Majesty, out of his innate Clemency, may think fit to intercede for these Officers, who were so far behind the three Soldiers and the Detachment, that they did not hear the Musquets when they went off: They gave us their Process verbal of what had passed, and begg'd his Majesty's Grace and Pity to their Misfortune; for there was nothing could be imputed to their Fault in this Rencounter. The Process verbal and more minute Account of this, we take leave to reserve till we wait personally upon your Lordship.

Yester-

Yesterday being *Monday* Morning, we came to *Rotterdam*, and paſſed thence to the *Hague* in the Afternoon. We found that his Highneſs the Prince of *Orange* was newly return'd from *Utrecht*; and this Morning Sir *Gabr. Sylvius* brought us Word, the Audience we humbly begg'd of him ſhould be given us at Three this Afternoon. We found, as your Lordſhip's Letter and Sir *Gabriel* had prepar'd us, that there were great Prepoſſeſſions in the Prince, partly from the Partiality he believes his Majeſty hath for *France*, and partly from the Impoſſibility of containing the Moſt Chriſtian King within any Bounds but by Force of Arms. In our Addreſs to the Prince, we did endeavour to govern ourſelves ſtrictly by your Lordſhip's Caution, and advanced no more, but that the King having approved of the Deſign we had to pay our perſonal Duties to his Highneſs, in our Paſſage through this Country, he had been pleaſed to command us, not only to aſſure the Prince of his Reſpects, but to acquaint him, that the King deſigning to imploy his utmoſt Offices to mediate a General Peace, it would be a great Satisfaction to him to know, in what Particulars he might be uſeful to the Intereſts of the Prince which were now become the ſame with that of this Country, and indeed with his own: That we had further in Command to communicate to his Highneſs any thing that may have occurr'd to us in the Courſe of our Negotiation, as to the preſent Aſpect of Affairs in order to a General Peace, with the ſame Freedom as to his Majeſty himſelf. The Prince replied, that he was very much obliged to his Majeſty for his Care of him; that truly he was not againſt a Peace, provided it may be ſuch a one as may conſiſt with the Intereſt of this Country, and with that of their Allies; the Aſſurance that a Peace ſhould be laſting, was the only Thing difficult in his Judgment; that this Eſtate is not ſecure, much leſs are the *Spaniſh Netherlands*, from being over-run, as they were two Years ago, whenever the *French* find their Opportunity; that they, the *Dutch*, are obliged to reſtore *Spain* to the Terms of the *Pyrenean* Treaty; that the *Spaniards* have no Frontier to cover them, and can never be in Safety as they now ſtand; that he did not ſee how this Aſſurance might be had from *France*, in Regard Guarantees and Paper would not do it; that they had a great Quantity of Paper from the *French* King already, but to no Purpoſe.

We did not oppoſe in this firſt Addreſs any Reaſonings of ours to his Highneſs's Sentiments; we yielded, that if a Peace were to be made, it muſt be at the ſame Time made a laſting one; that we hoped our Maſter, if he intermeddled in the Mediation, would make it as much his Care to procure that the Peace ſhould be laſting, as that the War ſhould ceaſe; only that his Majeſty would be (we thought) glad to learn from the Prince, what it is that in his Highneſs's Judgment will amount to an Aſſurance, ſuch as ſhall ſatisfy his Highneſs, this Country, and their Allies: We did not take our final Leave of his Highneſs, nor did we enter into any *Ecclarciſſement* about the Levies, reſerving it to another Time. We are, *&c.*

To

To the Earl of *Arlington.*

Hague 27 April/8 May 1674.

My Lord,

IN our Letter that we preſumed to trouble your Lordſhip withal on this Day ſevennight, we gave your Lordſhip an Account of the Audience that his Highneſs the Prince of *Orange* had done us the Honour to give us that Afternoon. We had good Hopes to have been admitted to another, and indeed to have been diſmiſſed ere this Time. But the Prince had been either abroad (as he was all yeſterday, to ſee a little Seat on *Utrecht* Side, which he intends to purchaſe for his Pleaſure of Hunting) or elſe ſo engag'd in Buſineſs, that we have not been able to obtain leave (tho' Sir *Gabriel Sylvius* had ſtill ſollicited for us) to pay our Duty to his Highneſs, ſince our firſt Audience on this Day ſevennight. We have, ſince we are not admitted ourſelves, requeſted Sir *Gabriel Sylvius* to enlarge, as he ſhould find Opportunity, both upon the Seaſonableneſs of the Overture we have made to his Highneſs in his Majeſty's Name, and upon the Reaſons that ſupport it. The Prince hath been pleaſed to tell Sir *Gabriel*, he will, when he hath Leiſure, diſcourſe with us upon the Subject Matter of the Peace, and of thoſe Means and Terms of publick Surety, ſuch as will content this State and their Allies; but at the ſame Time he intimated, that he himſelf cannot come to any Reſolution about the Peace or Surety, before he do adviſe with the Count *de Monterey*; adding obliquely, that the States do hold themſelves bound to ſee *Spain* reſtored to the Terms of the *Pyrenean* Treaties, unleſs *Spain* will of its own Accord acquieſce in a Satisfaction more moderate, at leaſt of a leſſer Difficulty to be obtained: It is Sir *Gabriel Sylvius* his Obſervation as well as ours, that our Reception here is very cold, and that the Men of Buſineſs decline us with ſome Induſtry; nothing being here talk'd of, but the humbling of *France* by the formidable Force the Confederates have now on Foot, to ſuch a Degree, that there will be no Cauſe to fear any Diſturbance from it in very many Years. So that the Temper here is very diſtant from what his Majeſty, entring upon the Office of a Mediator, could wiſh it to be; but that Note will quickly be changed, if the News from the *Franche Comté* (whence we hear nothing hitherto) proves to be contrary to the preſent Heights of Expectation.

We are in Hopes of obtaining our Audience of Diſmiſſion to Morrow. Count *Waldeck* being gone yeſterday to the Rendezvous at *Bergen op Zoom*, and *de Ruyter* to Sea, 'tis ſaid, the Prince will not ſtay here above two or three Days longer: The Ambaſſadors for *England* are ſaid to begin their Journey on *Monday* next. We are, *&c.*

To the Earl of *Arlington.*

Rotterdam 11*th May*, 1674.

My Lord,

OUR laſt Letter that we preſumed to trouble your Lordſhip withal, was the 28 April/8 May, from the *Hague*. Next Morning after, we had the Honour of a very favourable Audience from his Highneſs the Prince of *Orange*: He was pleaſed to be much more open and free in his Diſcourſe, than we found him at our firſt Audience. That which he moſt inſiſted

inſiſted upon was, that it is his Majeſty's Intereſt, as much as theirs here, that the *Spaniſh Netherlands* be not ſwallowed up by *France*; and that ſome Barrier muſt be ſet to the ſwelling Ambition and dangerous Greatneſs of that King: That this Barrier can be no other, than to bring him to quit all his Conqueſts ſince the *Pyrenées*, and to fix him to the Terms of that Treaty, which this State is now oblig'd to do, in Favour of the *Spaniards*.

We did endeavour to repreſent unto his Highneſs, how improbable it was, or rather impoſſible it would prove to be, (the preſent Vigour and Force of *France* conſidered) to bring that King, by Way of Office and Negotiation, to part with ſo many ſtrong Places; and on the other Side, how full of Difficulties and Uncertainties, the graſping at ſuch an Attempt would be, by Force and Arms; and how long all Chriſtendom muſt bleed, if the War be continued 'till *Spain* does recover all it hath loſt ſince the Year 1659. The Prince was pleaſed to ſay, the King our Maſter would be able to bring the *French* King to it; eſpecially, if his Majeſty, finding that his Offices are not conſidered, and prevalent enough, would come at laſt to declare for, and joyn his Armies with the Confederates. When we had told his Highneſs, that tho' we were not in the leaſt inſtructed to ſpeak to this weighty Point, yet that we underſtood, and had all Reaſon imaginable to believe, that his Majeſty's Affairs at Home would not permit him to engage in a new War.

He was pleaſed to enter into Diſcourſe, that the Charges would be very little, and the Riſque leſs, that this War would engage his Majeſty in: That his Fleet at Sea need not be ſo great, a much ſmaller joyn'd with theirs would be ſufficient; that his Land Forces need not be great neither, the Confederates being numerous enough already; and alſo to diſcover a ſtrong Perſwaſion he hath imbibed, that the Parliament and People will not be wanting in any Supplies requiſite for a War, out of their known Antipathy againſt *France*: Nay, he did expreſly enough declare it to be his Judgment, that without ſome ſuch Conjunction againſt *France*, there were no Hopes that this State would be brought into any ſtricter Friendſhip, and to ſuch an hearty entire Union (as were to be wiſhed) with *England*. He was pleaſed in a Manner to challenge us to ſhow, that our real Intereſt was other than to enter into the ſtricteſt Amity poſſible with the States; and even to make War in Conjunction with them againſt *France*.

It appear'd to us by the Penſioner *Fagel*'s Diſcourſe the ſame Afternoon, that this is a Notion that prevails very much here, tho' the Penſioner think it needful, or wiſh as the Prince did, that our Maſter ſhould come to an actual Engagement in this War; only that he ſhould, by his Applications for a general Peace, let *France* ſee, that he hath the ſame Intereſt with the other Confederates, to ſet firm Boundaries to its preſent Greatneſs. The Prince, in his Diſcourſe of the Poſture of his Army, and of the preſent Conjuncture, delivered himſelf with very admirable Prudence and Moderation; letting us ſee, he was ſufficiently aware of the Checks and Revolutions that are ordinarily Incident to great and proſperous Affairs: That his Confidence was not over great in the *Spaniſh* Troops, nor his Reverence over much for their preſent Miniſters and Councils; but above all, that his Attach to their Intereſts, is to laſt no longer than the Neceſſity of a Counterpoize to the *French* Greatneſs ſhall require. His Words were, that he was not ſo far addicted to the *Spaniſh* Intereſt, but that if *Spain* ſhould deſign any Thing againſt this State, or ſet up for a univerſal Monarchy, he would become as good a *Frenchman* as he is now a *Spaniard*;

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being on no Occasion either *Frenchman* or *Spaniard*, any further than his Interest leads him; but in all Cases, he was, and would be, *un Bon Hollandois*: We did not find his Highness so unequal (if we may presume to say so) in any Thing, as in the Resentments he seems to have about the Levies, which we had your Lordship's Order to inform him in; for besides that he did aver, that all Men who have an Inclination to the Service here, were discountenanced and over-aw'd in *England*; He was pleased to apprehend and declare it, to be a Justice due to this State, to have the Liberty, now after the Peace is made, of levying as many Men in *England*, as are now found to be remaining in the Service of *France*, and are not called Home. We found (which we could not but wonder at) Monsieur *Fagel* to be of the same Judgment; and tho' neither the Prince, nor he, would say, that the not calling back of our Troops from *France*, was a direct Contravention to the secret Article; yet they would not allow us, that his Majesty (being now in the State of Neutrality, and entring upon the Office of a Mediator) can, without great Partiality for *France*, prohibit Levies to be made for this Country; unless at the same Time he refused that Liberty to the *French* King. But to aggravate this Affair, Monsieur *Fagel* told us of a Proclamation in *Scotland*, whereby Liberty was given to go to the *French* Service, and a Restraint declared upon all that would enter into the Service of this State. Which we took leave to gainsay, as a Thing utterly incredible; and such as we hoped would appear, within few Days, to be a malicious Falsity. Monsieur *Odyike* had done us the Honour to invite us to dine with him that Day; where the Prince and Monsieur *Fagel* render'd themselves at Noon: We had about an Hours Discourse with the Pensioner, which was the first and only Interview we had with him. Our Scope was, to represent unto him, that now (their Condition here being so prosperous) was the only proper Season to make a Peace; and in Order to it, to let our Master know, what would finally content them and their Allies; or at leastwise to give his Majesty good Grounds of Assurance, that they are here in a real Disposition to receive Terms of Peace, if his Majesty can procure *France* to offer them such as are safe and honourable.

This last the Pensioner most inclined to, they, the *Dutch*, having nothing to ask of *France*, since they hope to be repossessed of *Gravé* (without using any Force) in a short Time; and that they design *Maestricht* (when the Peace is made) to come to the *Spaniards*. On the other Side, the *Spaniards*, he told us, will never speak any Thing less than the Terms of the *Pyrenées*, and this State must stand by them in those Demands, only here they will be at Liberty, if *France* shall offer Reason to all the Confederates, to remonstrate to the *Spaniards*, that it is safer and better for *Spain*, and all that Party, to accept of Terms, that are less advantageous than those of the *Pyrenées* would be, rather than continuing the embroiling of all *Europe* in the Miseries and Uncertainties of a long War.

The Pensioner therefore prayed us, that his Majesty would procure a fair Offer from *France*; assuring us, that this State will make the best Use of it towards their Confederates.

We told him, we could not believe his Majesty would judge, he had any Grounds of Assurance of their good Disposition here to a sudden Peace, if they expected that *France* should suffer it self to be perswaded, by a Mediation, out of all its Conquests: He acknowledged, that that was not to be expected, or insisted on, provided the Peace might be sure and lasting; he thought *Spain* might be brought to

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acquiesce in some Temperaments and Expedients that would satisfy, without the Terms of the *Pyrenees*.

As soon as our Conversation with the Pensioner was over; We hastened from the *Hague* to this Place, and were yesterday at *Delphs* Haven, to speak with the Captain of the Yatch, that brought over Mr. Alderman *Backwell*. The Captain is, as he says, to follow the Alderman's Order, which he hopes to receive this Day; if the Alderman's Affairs so stand, as to permit the Captain to give us a Waft over, we shall close with that Convenience; if not, we shall lay hold on any other this Place affords, that we may hasten all we can possibly, to be at his Majesty's Feet; and to assure your Lordship, *vivâ voce*, that we are,

My Lord,

Your Lordships, &c.

Leoline Jenkins.
Joseph Williamson.

To these Letters may be added, Sir *Leoline*'s own Account of this Negotiation, as deliver'd by him *ore tenus* in Council, upon his Return; and taken from his Minutes, which contains not only an Abstract or Summary of the preceding Letters, but many other material and important Circumstances of that Time.



THE *Dutch* (says he) in the whole Course of this Negotiation, were never real or in earnest for making a Peace with *England*: As evidently appeared,

1. From the *Plenipouvoir* they brought with them, having no less than four gross Equivocations in the Body of it, and one notorious Falsity in the *Preface*. The Equivocation being represented to their Masters at the *Hague*, they got at last for Shame amended. But the Falsity (which is an Assertion, that the States had before the War tender'd all the Satisfaction and Reparation the two Kings and their Allies could pretend from them) stands unamended to this Day, notwithstanding the Instances of the Mediators, and our own Protestations against that Assertion, not only as untrue in itself, but also as begging of the Question, never admitted in any Treaty.

2. The *Dutch* Ambassadors, being possessed of his Majesty's Demands on the $\frac{2}{12}$*d* of *June*, which was the Day upon which the Mediators first called for them; two of them went on the $\frac{4}{14}$*th* of *July* for the *Hague*, (in Order to consult, as was pretended, their Masters thereon) but return'd not till the $\frac{4}{14}$*th* of *August*; so that in a whole Month, there was neither Answer given, nor Exception taken to his Majesty's Demands, nor any the least Step taken in the Negotiation.

3. The Day after their Return, they gave in a Writing to the Mediators, which may be better called a Manifesto than a Letter, it being patch'd up of Artifice and Declamation upon the Causes and Merits of the War; and tho' they did take notice of his Majesty's principal Demands, one by one, yet they answer'd each one with a Cavil or an Evasion, still mixt with Insolency, notwithstanding that they had

had often confessed in private Conversation, that some of those Demands either were not worth their standing upon, as that of the Libels; or could not for Shame be denied to his Majesty, as that of the Flag.

4. From their not taking the least Notice, either in that of the 15*th* of *August*, or in any Letter since to the Mediators, of his Majesty's great Condescention, in quitting wholly his Demand of cautionary Towns, even at a Time, when he might have promised himself some Modesty and Compliance in them from the Posture of his own Arms; nor of his Endeavours still to draw on his Allies by his own great Example, and earnest Instances, to facilitate the Peace, and to prevent their involving of all *Europe* in a perpetual War; which the Mediators have upon all Occasions thought fit to acknowledge with the highest Thanks, and greatest Veneration possible for his Majesty.

5. That ever since the Return of the two Ambassadors from the *Hague*, it hath been an Observation, and the constant Complaint of the Mediators, that the *Dutch* Ambassadors did grow every Day more high and untractable in their Publick Business, and also insolent and rude (some of them) in their ordinary Conversation, as if they had been searching for Quarrels, and had renounced all good Dispositions requisite to Men that are to treat of Peace.

6. That in their Treaty with *Spain*, bearing Date the 20*th* of *August*, 'twas expresly stipulated, *Spain* should break with *France* as soon as required thereto by *Holland*, and *Holland* should then discontinue the Assembly at *Cologn*; and yet they denied there was any such Article in that Treaty, three Weeks after it was signed, and when the Mediators had a Copy of it, to shew them how disingenuous they were in their Proceedings.

7. His Majesty's Demands being so moderated, as not to afford the *Dutch* a Handle to break upon, in any one single Point, without taking the Shame and the Wrong notoriously upon themselves; they did, by their Letter of the 9*th* of *October*, refuse his Majesty's Propositions in the general, as excessive, ruinous, and introductive of eternal Servitude upon their State, without giving their Reasons, or taking their Exception to any one Particular; insomuch that they were forced to have Recourse to a pitiful Pretext, which concerned not his Majesty, nor related to this War in the least, upon which they must break off the Negotiation; *viz.* because the Most Christian King denied Passports to the Duke of *Lorain*, whose Quarrel they have espoused; tho' it depended long before their War with *France*, and tho' that Prince hath neither Country, nor Army, whereby his Alliance may be of Use or Moment to them.

8. That now *Spain* having actually broken into a War, the *Dutch* Ambassadors declared on the 14*th* of *October*, they were no more at Liberty to treat at the *Carmes*, the usual Place of Treating, even before they had an Answer from the Mediators, whether the Most Christian King was resolved or not to deny his Passports to the Ministers of *Lorain*, to come and assist at the Treaty. And so two of the four Ambassadors, Messieurs *Beverning* and *d'Odyike*, the chief Men in Rank, and Members of the two principal Provinces of *Holland* and *Zealand*, departed on the 19*th*, and left behind them the other two, which could not be thought instructed to proceed in the Negotiation without their Collegues.

Besides the foregoing Observations on the Conduct of the *Dutch*, there were many others which offer'd themselves to Sir *Leoline's* Reflexion, arising from the Interests and Views of the rest of the Parties in War,

War, and the general Posture of Affairs during his Stay at *Cologn*, and which he continued his Account of to the following Purpose.

Before and after the taking of *Maestricht*, says he, till the March of the *Imperialists* was certain, the *French* were too high and implicit in their Demands; our Fleet was less successful in the two first Engagements; the *Dutch* had a Prospect of the Emperor's March, and that *Spain* would break: After the Business of *Maestricht*, the *French* became confident the Emperor would not march; and if he did, that Mareschal *Turenne* would be too strong for him, and that *Spain* durst not declare.

The *Dutch* were satisfied of the contrary, as it afterwards proved; the last Engagement at Sea did them but little Hurt: The *French* Army in the *Low Countries* was not in a Condition to attempt more that Campaign; Supplies in Parliament were not feared by the *Dutch*, unless it were to break with *France*.

Montecuculi having gained his Point, *Bonn* and *Naerden* being taken, the Prince of *Orange* having marched backwards and forwards without any Thing being attempted by *Turenne* or *Luxemburgh*, *Treves* and other Princes being ravaged, the Prince of *Orange* being influenced by *Spain*, the Parliament disquieted, and universally inclined to desert *France*; *Holland* would not hearken to any Thing that was high, and *France* to any that was low, or part with any Thing they could keep.

Much more was it so with each Party, 1. When *Spain* had declared. 2. When the Parliament had refused Supplies. 3. When *England* came to a separate Peace. 4. When the *Imperial* Army had possessed itself of all the Elector of *Cologn*'s Country. 5. When *France* had forsaken so many Places, when the *Palatine* had actually engaged, and the Empire declared against them. For then *Spain* forgot the Terms of *Aix la Chapelle*, and talked of reducing all to the *Pyrenean* Treaty; the Empire expected to chase the *French* out of all their footing in *Philipsburgh* and *Alsace*: So that Things stand at the widest Distance possible, now his Majesty declares he will mediate a General Peace.

This the *Spaniards* will render fruitless if they can, tho' they should seemingly accept his Majesty's Offices: For their fundamental Maxim is, that the *French* Treaties are not to be relied on; that a Restraint is to be laid on that King by Force; that he must be made to quit all his Conquests, since the *Pyrenean* Treaty, and to renounce all Pretensions of succeeding in *Spain*.

France finds itself over-match'd on the one Side, but will not be hector'd as low as *Spain* would have it, on the other Side: So that as *Spain* will not come to any Peace, as long as *Holland* and the Empire will stand by them, the *French* King will offer very liberally to *detache* these Allies, and very fairly for *Spain*, thereby to put it in the wrong.

And the Allies by Consequence are the sole Arbiters of the Peace. The Emperor hath a Prospect of establishing his Authority at Home, and so will be glad to continue an Army on Foot, which he is not to pay. The *Dutch*, whose Interest is Commerce, will go no further in this War, than the Prince of *Orange* will carry them.

So that his Highness seems to be the only Person to be taken off: But his Inclinations are to be at the Head of an Army; the *Spanish* Councils, and the young Men about him, cherish and encourage that Inclination: He hath some Resentments that are personal against the *French* King, as well as some Emulation for him. The *Lovestein* Party is so depressed at this Time, that this Posture may seem to him in some Measure necessary for his Safety. As he hath a great Sense of Honour

to execute their Treaty with *Spain* by very ample Returns, and by bringing Things to the *Pyrenean* Treaty ; so the Party that hath advanced him, must gratify his Humour, and place their Security in the same Bottom with the Prince.

THE only Means that seem to me likely to draw his Highness off by are, 1. Begetting in him a Confidence in his Majesty, and a Reverence for him. 2. By convincing him, that his Authority at Home will be best established in saving the Purses of the Subject, and in having the King his Uncle firm to him and his Interests. 3. It may be done in marrying him with his Royal Highness's eldest Daughter.

IF it be considered, whether it be the Interest of *England* to enter into a stricter Amity with *Holland* and *Spain*, tho' to the Dissatisfaction of *France*?

IT seems to my humble Apprehension to be safest ; for so we shall make a sufficient Counterpoize against *France*, whose Puissance does every Day threaten to turn the Ballance, and who will be always embroiling of us at Sea with the *Dutch*, in order to weaken us. 2. *France* will not offer to invade us at any Time, if we are strictly united with *Spain* and *Holland*, and so we shall have the less Opposition in our Trade. 3. The less Danger of Disturbance at Home ; for then it will not be the Prince's Interest, or any of that Countries, that we be embroiled.

WHEREAS if we continue in the Interest of *France*, our Reward can only be, either Part of its Conquests Abroad, or Maintenance of our Peace and Quiet at Home. But as to the first, the Share of the weaker Ally is never so good in the Dividend, as in the Designation : And we have no Reason to affect new Acquisitions, unless we had the good Fortune to make a better Use of our present Possessions. As for the Maintenance of our Peace at Home, after the present Disrelishes and Jealousies, it is a Thing that the People or Parliament will never fancy or expect from a Friendship with *France* : Nay, if his Majesty should enter into a stricter Amity with *France*, it may be expected, that the Parliament will again take upon them to enquire into and judge of that Treaty.



A

A
Compleat Series
OF
LETTERS,
FROM THE
Ambaſſadors and Mediators
FOR THE
GENERAL PEACE
AT
NIMEGUEN,
From the Year 1675, to the Year 1679.

Written to the Right Honourable
Sir *Joſeph Williamſon*,
AND
Earl of *Sunderland*,
Then Principal Secretaries of State.

LONDON:

Printed for JOSEPH DOWNING, in *Bartholomew-Cloſe*; WILLIAM TAYLOR, at the *Ship* in *Pater-noſter-Row*; WILLIAM and JOHN INNYS, at the Weſt-End of St. *Paul's*; and JOHN OSBORN, at the *Oxford-Arms* in *Lombard-Street*. M.DCC.XXIV.



A Compleat Series OF LETTERS,

FROM THE Ambassadors and Mediators for the General Peace at *Nimeguen*,

From the Year 1675, to the Year 1679, &c.

CAROLUS Secundus, Dei Gratia, Magnæ Britanniæ, Franciæ, & Hiberniæ, Rex, Fidei Defensor, &c. Omnibus & singulis ad quos præsentes Literæ pervenerint, Salutem. Quandoquidem Deo Opt. Max. summo soliq; Pacis Arbitro visum est conatibus officiisq; nostris, quæ constantèr, ex quo Mediatoris munus primum suscepimus, interposuimus, ad extinguendum infelix hoc bellum, quod ante aliquod tempus inter Serenissimum Romanorum Imperatorem, Serenissimum Hispaniæ Regem, Ordines Generales Unitarum Belgii Provinciarum, eorumq; Fœderatos ex una parte, & Serenissimum Regem Christianissimum ejusq; Fœderatos ex altera exortum est, & etiamnum flagrat, eosq; favere & benedicere, ut inter partes belligerentes demùm conventum sit, de Congressu Neomagi in Provincia Geldriæ formando, deq; Pace Universali ibi loci tractanda; Cumq; preliminares difficultates, quæ salutaris hujus Negotii progressui hucusq; obstitere, instantiis nostris favente Divina Providentia, tandem magna ex parte, si non penitus, amotas & è medio sublatas cernimus; Ne quidquam, quod Principem Christianum, qui Pacem & Concordiam inter Principes & Status ipsi vicinos cura semper singulari promovit, decet, vel quod nobis ratione muneris nostri Meditatorii incumbit, omittere videamur; Quin imò omni modo pium & Christianum hoc Opus promoveamus, utq; ad Exemplum nostrum Partes Belligerentes Legatos suos & Plenipotentiarios ad supra memoratum locum Congressui & Tractatui destinatum, quamprimùm mittere inducantur; Sciatis, Quod nos fide, industria, prudentiaq; perquam fidelis & dilecti Consiliarii nostri, Johannis Domini

Domini Berkley de Stratton, Legati nostri Extraordinarii apud Serenissimum Regem Christianissimum, dilectorumq; & fidelium nostrorum, Gulielmi Temple Baronetti, nostri apud D. D. Ordines Generales Fœder. Belg. Legati Extraordinarii, & Leolini Jenkins Equitis Aurati, Legum Doctoris, in suprema Admiralitatis Angliæ & Hiberniæ Curiâ locum tenentis Generalis & Præsidis, Curiæ Prærogativæ Cantuariensis Magistri, atq; in Consessu Ordinum hujus Regni nostri (vulgo Parliamenti) Senatoris, plurimum confisi, expertiq; qua pollent in rebus transigendis Scientia, Usuq; singulari ex negotiis muneribusq; iis variis, quæ domi forisq; dudum sustinuére; Ipsosq; Johannem Dominum Berkley, Gulielmum Temple, & Leolinum Jenkins, nominavimus, fecimus, constituimus, ac deputavimus, & per præsentes manu nostra Regiâ signatas, nominamus, facimus, constituimus, & deputamus nostros veros certos & indubitatos Legatos, Ambassiatores Extraordinarios, Commissarios, Deputatos, & Plenipotentiarios, pro Tractatu Pacis Universalis inter partes belligerentes, eorumq; Socios & Confœderatos, habendo: Dantes eisdem & concedentes, & eorum duobus quibusvis, ægrotante, vel utcunq; aliàs absente tertio, omnem & omnimodam potestatem, facultatem, authoritatemq; necnon Mandatum generale pariter ac speciale, (ita tamen ut generale speciali non deroget, nec è contra) pro Nobis ac Vice & Nomine nostro, in loco generali Congressui destinato, vel in alio quocunq; loco, ubi id opportunum videbitur, interponendi Officia omnia Mediatoria, ad extinguendum hoc bellum, & componendas terminandasq; lites controversiasq; inter dictum Serenissim. Rom. Imperatorem, Sereniss. Hispaniæ Regem, Ordines Generales Unitarum Belgii Provinciarum, eorumq; Fœderatos ex una parte, Serenissimumq; Regem Christianissimum ejusq; Fœderatos ex altera, vel eorum quoslibet, aut etiam inter quoscunq; alios Reges, Principes, Status & Respublicas, jam exortas, vel quæ dehinc hujus belli occasione exoriri poterunt, atq; de firma, perpetua, ac stabili Pace, vel saltem Treuga, & armorum suspensione, in ordine ad Pacem orbi Christiano restituendam, tractandi & concludendi; eumq; in finem cum eorum Legatis Deputatis & Plenipotentiariis, sufficienti authoritate ad id instructis, tam singulatim ac divisim, quam aggregatim & conjunctim, colloquendi, tractandi, conveniendi & concordandi, idq; omne quod ab iis hinc inde conclusum conventumq; fuerit, pro Nobis, & nostro Nomine, tanquam Pacis Mediatoris signandi, superq; conclusis Instrumenta quæ necessaria fuerint conficiendi, mutuoq; extradendi recipiendiq; Dantes & ulterius concedentes Legatis nostris supradictis potestatem, authoritatemq; (quando Deo Opt. Maximo benigne visum fuerit, ut Pacis Tractatus concludantur, & ad optatum finem deducantur) pro Nobis, & nostro Nomine, interponendi, & declarandi Guarantiam nostram dicti Tractatus, omni meliori modo & forma; ac generatim ea omnia tractandi, conveniendi, promittendi, stipulandi, & faciendi, quæ in & super præmissis, aut eorum quolibet necessaria quoquo modo, vel opportuna judicaverint: Spondentes, & in verbo Regio promittentes, nos omnia & singula, quæcunq; a dictis nostris Legatis ac Plenipotentiariis, sive eorum duobus, ægrotante vel utcunq; alias absente, uti præfertur, tertio, vi præsentium transigi, concludi, & concordari contigerit, grata, rata, & accepta, iis prorsus modo & forma, quibus convenerit, habituros. In quorum omnium majorem fidem & robur, præsentes magno nostro Angliæ Sigillo communiri jussimus. Quæ dabantur in Palatio nostro de Whitehall, decimo tertio die Mensis Decembris, Anno Dom. 1675. Regniq; nostri 27.

Carolus R.

Instructions

Instructions for the MEDIATION.

Charles R.

THE Offer We had made of Our Mediation about the Month of *Sept.* 1674, having been accepted by the several Parties in War, with that Readiness and Satisfaction We could have wished, We immediately applied Ourself for the fixing of a Place for the Assembly to meet, in Order to the Treaty of a General Peace. After several Contestations upon this Point between the Parties, at last We prevailed, about the Month of *February* 1674-75, that the Town of *Nimeguen* in *Gelderland* should be the Place; but the Most Christian King, as he had been of the earliest to agree the Place, facilitating with great Diligence the Difficulties which arise upon that Head, he declared he could not in Honour make the next and necessary one of sending his Ambassador to it, till the Emperor should in some Degree satisfy him in the two great preliminary Points, of the Liberty of Prince *William* of *Furstemburgh*, and the Restitution of the Money seized at *Cologn*; and upon this Difficulty, the whole Business rested this last Year, till at last, all other Expedients failing, We so ordered the Matter, as to prevail with the Bishop of *Strasburgh*, Brother to the said Prince *William*, himself to become a Suitor to the Most Christian King, that he would depart from the Point of Honour he had hitherto so peremptorily stood upon, and agree to send his Ambassadors to the Place of Congress, without further insisting on the previous sequestring the Person of the said Prince into some neutral Hand; which was the Temperament He, the Most Christian King, had heretofore proposed in the Matter. This Suit of the Bishop of *Strasburgh*, We so seconded with our Instances, that it prevailed with the Most Christian King, so as he has agreed his Ambassadors shall, without further Conditions, forthwith part for *Nimeguen*, and begin a Treaty.

AND therefore having thought fit to make Choice of You for Our Ambassadors Extraordinary and Plenipotentiaries in those Mediations of a General Peace, for the Experience We have of your great Sufficiency and Abilities in Negotiations of this kind, you, Sir *Leoline Jenkins*, (your two Collegues being already on the other Side the Water) are forthwith to embark yourself on Board the Yacht appointed for your Transportation, and Wind and Weather serving, to pass with what Diligence you may to the *Brill*, or such other Port as you can best make in *Holland* or *Zealand*, and thence by the Way of the *Hague*, where Sir *William Temple* is appointed to be ready to joyn you, to proceed with all convenient Speed to *Nimeguen*.

WE have already called upon the States, to have their Ambassadors in a Readiness, when We should be able to gain this main Point upon the Most Christian King; however, it will be fit, in your Passage by the *Hague*, to press them, in case they be not yet ready, to follow with all Speed to *Nimeguen*; as likewise to procure effectually from the States, whatever shall be found necessary to be done on their Part, as well for the actual forming the Assembly, the determining a reasonable Circuit of neutral Country, next adjacent to *Nimeguen*, between the two Rivers of the *Waal* and the *Meuse*, as well for the Security and Conveniency of the Assembly, as for the dispatching by themselves and their Confederates the Passports necessary for the other Parties, in the Forms that are proper. All which Points, and whatever else you shall judge useful to the Work, you Sir *William Temple*, and you Sir *Leoline Jenkins*, are carefully to think and concert between yourselves, while you are yet at the *Hague*,

Hague, and to see the whole put into such a Way of Dispatch as may be fit, even before your leaving the Place, to the End the Business of the Assembly may not be retarded by any Thing wanting on the Part of the States, or their Allies.

BEING upon the Place yourselves, your first Care must be to get the Assembly compleat, by pressing the Confederates to dispatch away their Ministers; those of *France* being, as We are informed, already on their Way; so as in all Likelihood to meet you upon the Place at your first Arrival.

IN the interim, till the Assembly can be compleated, you will have Time to adjust, with the Opinion and Liking of such as shall be already arrived, several Matters of Circumstances relating to the Assembly, and the Manner and Way of Negotiating in it, particularly the finding out some fit House or Place, where the Ministers of the several Parties may assemble and transact together: The Particulars of all which must be left to your own Discretion, to order and dispose in such Way and Manner as you shall judge most convenient; taking Care all that may be, to avoid in the general all Occasions of Contest and Dispute about Matters of Precedency and other Ceremonies: To which End, We think it were well, that as We will not that you yourselves do make any Publick Entry at *Nimeguen*, so you should prevail with the several Ambassadors and Plenipotentiaries, as they shall unite, to decline any such solemn Entries, for the avoiding Contests for Precedency, usual upon such Occasions.

AS to the Matter of Treaty, We don't see how We can at present well direct you any Thing in it, that being to arise from the several Parties among themselves, according to the Pretensions they shall be found to have upon each other respectively. In which, your Part, as Mediators, will be so mutually to represent and value the Reasons of each towards the other, as to bring them at last to a fair and reasonable Accommodation, which you are to labour with all the Care and Skill you can; still remembring to keep that Fairness and Impartiality in the Negotiation, which may become the Person and Figure We bear of a Mediator between the Parties; and that's as much as We think can be now said upon that Matter: Only in the general, it may be fit in this Point to warn you, as to the Method as well of your first entring, as in the whole Progress of the Treaty, that you should not by any Means be drawn to make any Proposals, or Scheme of Conditions between any of the Parties, but leave it to them to make what Demands they shall think fit one upon another; and then your Part is to be, so fairly to manage them between the Parties, as to bring them to condescend to one another, in such reasonable Temperaments and Moderation, as the Matter shall be capable of. And this Method of Proceeding, as it seems most proper and natural for the Figure you are in, so We think it much the safest and least subject to Exception, and Misconstruction from the Parties; and accordingly We would have you proceed in it.

THIS is what occurs to Us at present to direct you, as to the Matter and Business of the Treaty; and as for the rest, if any Thing new or difficult shall arise, as there may many Things in the Process of a Negotiation of so general a Concernment to this Part of the World, We shall from Time to Time, upon your Representations, give such further Orders and Instructions as shall be fit, by one of Our Principal Secretaries of State; with whom We do therefore direct, that you constantly correspond in the Execution of the Commission We have now intrusted you with.

By His Majesty's Command,

J. Williamson.

To

To Mr. Secretary *Williamson.*

Thursday, Rotterdam 23 Decem. / 2 Jan. 1675.

Right Honourable SIR,



Y last was a Line from *Greenwich* on *Monday* Morning; we went but to the Buoy in the *Ousedge* that Night; we attempted to go further, but were forc'd back again. On *Thursday* we came to *Margaret Road* by eleven; about nine at Night we set to Sea for this Coast, the Wind at *S. W.* but blowing very hard, and indeed stormy. Yesterday about nine in the Morning, we made this Land, but could not reach to this Port till it was Sun-set. I went not on Shoar. The Burgomasters and the Pensioner, who speak *French*, came in the Night and complemented me on board, excusing themselves that they had been misinformed of my being by the Way of *Maesland*; and that it being a Day of Devotion, *New-Years-Day*, and the first *Wednesday* in the Month, they had not broke up Time enough to call an Assembly. The Captain was forced to make his Demand of the Respect due to his Majesty's Flag, and had it paid him, so as I hope that Point upon this Coast will admit of no further Question. As to Matter of Fact, 'twas thus: We being come within these Lands to the Pits (as they call them) below the *Brill*, the *Dutch* Pilot we had come on Board, led us unavoidably upon a States Man of War that rid there at Anchor, with his Pennant flying aloft; the Man of War gave us five Guns, but did not strike his Pennant; hereupon Captain *Faisby*, after some serious Reflexions upon his Orders, instead of answering his Salve, gave him a Shot athwart his Forefoot, and some Time after another over him, upon which he struck his Pennant. Somewhat further, I mean nearer the *Brill*, and in the very Place where you and I, Sir, as we came back from *Cologn*, had the rencounter with the States Man of War, that carried the Ambassadors from hence to *England*, *May* 1674. there did ride another Man of War at Anchor, with his Pennant flying as the first, but he struck without more ado, and saluted us with five Guns; nor did he demur at all, so as to give the Captain the Trouble to demand it of him; I should not be just, if I did not give the Captain the Testimony he deserves in this rencounter; he having behaved himself with as much Caution on the one Side, and brisk Resoluteness on the other, as could possibly be expected from any Man in such an Occasion.

THE Fort at the *Brill* afterwards saluted us with thirteen Guns, we answer'd them with five; they resaluted with thirteen again, we answer'd with three; and they closed with fifteen, which the Captain looks upon as extraordinary.

I shall humbly take leave to suppose, that his Majesty will not be ill pleased to hear that his Yacht will answer Expectation in all Things, the Captain being well satisfied with her working and sailing, having in a Rencounter on the River outgone all the Scoots, and a Yacht the highest esteemed here, as the Pilot told us, for her sayling. I beseech you, SIR, lay me the lowest possible at his Majesty's Feet, in my Acknowledgments of the Honour I have had, to be the first that passed the Seas in this Yacht, that hath so much of his Majesty's incomparable Judgment in the Fabrick of it, and his Magnificence in its Beauty. I

am

am just going a Shoar, designing to return the Burgomaster his Complement, and to avoid the Embarrass I find preparing for, *&c.*

Leoline Jenkins.

Friday, Hague 24 Decem./3 Jan. 1675-76.

Right Honourable SIR,

I Gave my self the Honour of Writing to you from *Rotterdam* yesterday; and I humbly take leave to enclose the Copy of what I then writ. The Burgomasters and Pensioner had embarked themselves before I could get off the Water; and having met me, we came on Shoar in a Manner together; their Artillery going off. I found their Coach at the Water Side, and caused them to drive us to the Senior Burgomaster's House, where they and I alighted, and went to pay my Complement, but staid not one Moment; the said four Persons conducted me in their Coach quite through the City, and saw me take a Barge, which they had ordered for me and my Company. The Crowd was all the Way more than Ordinary, and the Cries for Peace very full of Benedictions upon the King, and so were the Complements of the Burgomasters.

THERE lay there about 200 Sail of *English* Shipping, most of them small Craft, and many of them colourably free, being really *Dutch* as well in Fabrick as Propriety, ready to set Sail with the first Wind. Mr. *Reeves*, the *English* Merchant there, told me, there is a great Abuse of his Majesty's Bounty, upon the Act for transporting Corn; for the *Dutch* sending Commissioners into *England* to buy Corn, their Factors do demand and receive the Gratuities of the Act, and are accountable for that Money to the *Dutch*, which was intended only for the Benefit of the King's Subjects, and has been, as he says, 9 or 10000 *l.* out of his Majesty's Purse within these nine or ten Months.

YESTERDAY about Noon I came to this Town, where I found all Favour and Kindness possible from my Lord Ambassador *Temple.* The Prince is out of Town a Hunting, but is expected to return to Night, to do his Devotions to Morrow. Sir *William Temple* desires his Respects to your Honour; he resolves for *Nimeguen* suddenly, pursuant to our Instructions, in the Commission I have communicated to him, as I do as soon as I have my Dismission from the Prince of *Orange.* Messieurs *Beverning* and *Van Haren* are now in this Town: Since the Writing of the foregoing Lines, M. *le Baron de Reed* told me, he had much ado to perswade some of this Country, that his Majesty is in earnest for making a Peace; since *England* cannot, they say, but find its Accounts more advantageously by the War. I am, *&c.*

Leoline Jenkins.

Tuesday, Hague 28 Decem./7 Jan. 1675-76.

SIR,

HAVING considered together as well as we could, of his Majesty's Instructions and Intentions in this Embassy, and hearing that the *French* Plenipotentiaries are already on their Way, and will be at *Maestricht* the 10*th* of this Month; and finding that the Plenipotentiaries of

of this State are here upon the Place, waiting our Motion, their Baggage being already laden on this Canal; we have concluded together that there is no other Way of complying with the Scope and Design which his Majesty seems to have proposed to himself in this Affair, but by applying ourselves separately at present to the two several Points which seem to us to be intended by them; and therefore that all Parties concerned in the War may take notice of his Majesty's great Diligence in sending his Ambassadors to the Place of Congress, and of some of them being actually arrived there, whereby the several Parties may be invited to a speedier Dispatch of theirs, and likewise that an Ambassador may not be wanting upon the Place, to receive and complement the first Ministers that shall arrive there from any of the Parties; we have jointly resolved, that I, Sir *Leoline Jenkins*, should set out towards *Nimeguen* to Morrow, for the Accomplishment of the abovesaid Ends; and whereas by an Article in our Instructions, we are commanded, before we leave the *Hague*, to see the Business of the Passports, and the Declaration of the neuter Country put into such a Way of Dispatch, as that the Business of the Assembly may not be retarded by any Thing wanting on the Part of the States, and their Allies: Whereas also an Obstruction, by Reason of the Absence of *Don Emanuel de Lyra*, hath been lately made in the Resolutions of the States and their Confederates, concerning both those Points, and that a new Incident (as we fear of some Consequence) hath yesterday discovered itself in the Business of the Passports, by the Observation first of the Prince of *Orange*, and more sharply of the *Lorain* Envoy, upon the Defects of the *French* Passports to that Prince; we have likewise jointly resolved, that I, Sir *William Temple*, shall stay some Time longer at the *Hague*, to pursue and sollicit these two Affairs of the Passports, and the neutral Country to a full and speedy Issue; we have likewise jointly resolved, in Order to the making our publick Letters of less Trouble to his Majesty by their Length, to transmit from Time to Time, by Way of Journal, (such as for an Essay goes here inclosed) all the Passages and Matters of Fact that occur to us, relating in any wise to this Negotiation of the Peace. We are, SIR, *&c.*

William Temple.
Leoline Jenkins.

Sunday, 26 Dec. / 5 Jan.

SIR *William Temple* and I had Audience of the Prince, after I had delivered him his Majesty's Letter; his Highness not opening it at that Time. I told him, his Majesty had commanded me to assure his Highness, that his Majesty had nothing more in his Thoughts, nothing nearer his Heart, than his Highness's Concerns in the present War, and in the Success of it; that it was his Majesty's Judgment, it would be for his Highness's Service to bring him out of the War, by a good Peace, as soon as can be; and that it would be his Majesty's endeavour to do it with all Honour and Satisfaction possible to his Highness.

THAT his Majesty had to that End commanded Sir *William Temple* and me, to render ourselves upon the Place of Congress, and to enter as soon as we could upon the Function of Mediatorship; and that if we had the Honour to receive any Commands from his Highness, we should be sure to execute them as his Majesty's own Orders.

To this the Prince answered, there was nothing he desired more, than to know his Majesty's Will, and to receive his Majesty's Commands in Reference to the Peace; that he had written several Letters to his

Majesty, to desire to know his Pleasure; but that he hath not yet been so happy as to receive any Answer.

Monday, 27 Decem./8 Jan.

HIS Highness dining at Sir *William Temple's*, he took me alone into a Window, and was pleased to tell me, the King in his Letter had referr'd him to what I had to say. I told him, that what I had to add, to what I had had the Honour last Night to lay before his Highness, was only thus much; That the first Thing the King had in his Eye was, to contribute as much as lay in him, by his Offices, to make a general Peace: The next Thing, and that nearest his Heart, was, upon the making the Peace, to enter into a Friendship and Alliance, the strictest possible, with this Government; and that his Majesty judged such an Alliance would be the only Means, under GOD, to render the general Peace firm and lasting; besides that, it would be a Security to the Peace and Establishment of his Highness here, and a great Satisfaction to the King and his People in *England*. Here the Prince took me up short; Yes, said he; but how can that be? How can such an Alliance be obtain'd here, without using the proper Means for it? To which my Answer was, that the general Peace was, as I humbly conceiv'd, a proper Means to it; which being concluded, that Alliance must of Necessity be enter'd into, in Order to the preserving it, and making it lasting. You Mediators, said the Prince, must then propose the Terms of the Peace. I told his Highness, that the King would keep himself in the Figure of an upright Mediator, and not take upon him to arbitrate or determine, what may be right or reasonable; he would leave each Party to propound, and value itself upon its own Pretensions, but would hand the Proposals, and manage the Reasons of each to other; which his Majesty conceived to be the Obligation and true Bounds of his Office. The Prince hereupon said, the two Extreams will be first advanced: We, said he, Confederates, will insist to have *France* reduced to the Peace of the *Pyrenees*; and *France* will pretend to keep all that it hath got. I told him, that as it would be impossible to prevail with the *French* by Intreaties, to sink into the Terms of the *Pyrenees*; so it would be a Work of much Time, and great Uncertainty, to bring them to it by Force of Arms. To this his Highness replied, that it was a Battle throughly won of the *French*, that would do it. This gave me Occasion to lay before his Highness, what his Majesty had condescended to entrust me, of the Way that the *French* have, upon any Occasion, to reinforce their Army in *Flanders*, by throwing in the King's Houshold; of the Jealousies and Distractions incident to all such Confederacies; and of the true Season to make a Peace, when Things appear'd not too far distant from a Ballance. Here the Prince (Company filling the Room) broke off with me, saying, he did not see how it was possible to reconcile these two Extreams, and consequently that he saw but little Hopes of a Peace. After Dinner, his Highness being to go to Morrow, at four in the Morning, to his House at *Swesdyke*, was pleas'd to turn to me, and give me his Adieu, adding, by Way of Raillery, he would pray for us at *Nimeguen*. One untoward Incident discover'd it self to Day before Dinner; the Prince reading the Passports to the Deputies of *Lorain*, as they were come to Sir *William Temple's* Hands from *France*, found there was no notice taken, or mention made in it of a Duke of *Lorain*, the Words being, *aux Deputés de nôtre cher Cousin le Prince Charles de Loraine*; this his

his Highness first observed, *Le Baron de Serinchamp*, Envoy here from that Duke, took notice likewise of it with Sharpness, as something more than a Defect: This Minister is very well with the Prince, goes abroad with him to all his Divertisements; besides, the Prince professes a very extraordinary Esteem and Friendship for the Duke his Master. Monsieur *de Groot*, Resident here for the Prince Elector *Palatine*, in a Visit he made me this Day, took Occasion to acknowledge the Reception, and the Present M. *Spanheim* had had in *England*; but his Business was, to desire me to give under my Hand (as M. *Spanheim* had done) that Monsieur *P. de Groot*, that is now questioned here by the *Fiscal*, had not, that I knew of, *rien tramé à Cologne contre sa Patrie*; but, on the contrary, had in his Conversations maintain'd the Interests of it with Zeal. I excus'd my self, in saying, I could not give any Thing under my Hand relating to the publick Transactions at *Cologn*, but in Concert with my Collegue in that Embassy.

M. *Silvercroon*, the *Swedish* Commissary here, in his Visit to me, spoke much of opening the Post through *Denmark*, and of consigning the Dispatches from the Confederates to the *Swedes*, into the Hands of M. *Romph*, the *Dutch* Resident at *Stockholm*; but I took leave to refer him wholly to Sir *William Temple*, as a Thing he had treated, and taken into his Care long before; he blames M. *Sparr* for not having attempted to correspond with *Sweden*, he having done it with Success. He thinks, C. *Oxenstierne*, that was at *Vienna*, will come to the Treaty instead of C. *Tott*, but that the other two will stand.

Tuesday, 28 Decem. / 7 Jan.

WORD is brought me by one, I had employed to hire a Bylander to carry my Baggage to *Nimeguen*, that Messieurs *Beverning* and *Van Haren*'s Baggage stands already laden in a Bylander in this Canal, so they will follow me close; yet M. *Odyike* told me yesterday, that for his Part, he will render himself there, when the Prince shall give him Leave, which he conceives will not be yet this Month or two.

Wednesday, 29 Decem. / 8 Jan.

SIR *William Temple* having sent to the *Raedt* Pensioner *Fagel*, to take an Hour for him and me to visit him, the Pensioner chose to come to Sir *William Temple*'s, where I saw him. After his Complement upon his Majesty's undertaking of the Mediatorship, he fell into the Discourse of Passports, and of their Equity, that those of the *French* to the Confederates should be as ample and as comprehensive, as those accorded to them by the Confederates; especially in the Point of dispatching Couriers, which was very largely enjoy'd by the Ambassadors of this State at *Cologn*.

He made several Disquisitions upon the Reasons or Pretensions the *French* might have, to refuse the present Duke of *Lorain* the Title; since the Reasons given by *France*, for their last invading and seizing that Country, were not drawn from any Right, either by Cession or Conquest made, or from any Title by Descent or Purchase, but merely and solely from the personal Miscarriages of the late Duke; concluding, that the Dutchy being a Fief moving of the Empire, (which yet I think the Family now Regnant hath never acknowledged) and that *France* having neither had the Investiture of it from the Emperor, nor Title to it by any Act of this Duke, the undoubted Heir, they ought to give

give him the Title of Duke, tho' he be out of Possession; as the King of *Spain* refused not the Title of King of *Navarre* to the Most Christian King in the Treaty of the *Pyrenees*; from this he pass'd to the Business of the Neuter Country, which his Majesty, he said, should have as large from this State, as himself should think fit to demand. That it would be very reasonable to expect, and have it much larger than between the *Waal* and the *Meuse*: 1. In Regard the *French*, if they accord no more than that Extent, where they do not, nor cannot come to make any Courses, they grant as much as comes to nothing on their Part: 2. That it being certain, as he was pleas'd to tell us, there will be a Minister of the Pope, that will take up his Residence at *Cleves*, both that and this Town must be lookt upon as one Centre, in Respect of the Circumference, that is to be preserved Neuter: 3. That as it will not be unreasonable, so it will be a great Favour to the Prince, to take in the Country of *Meurs*, only the *Spaniards* will strive hard to have their Part of *Guelderland* compriz'd in the Neutrality; another Reason he was pleas'd to add, recommending it to me, since I was like to be first upon the Place, humbly to move his Majesty, after I should be inform'd how Things stood, and what might be most equal and practicable; and that our Restraint at *Nimeguen* would in all Appearance be very long, (which fell from him methoughts before he was aware) therefore that we, his Majesty's Servants here, should endeavour to make our Prison as large and as easy as we could.

Thursday, 30 Decemb. / 9 Jan.

MONSIEUR *Fagel* giving me the Honour of a Visit, in particular at my Lodging, before my leaving of the *Hague*, fell presently upon the Difficulties we should meet with in our Negotiation.

THE first he said would be in the Matter of Passports, wherein he found the *Danes* to be somewhat restive, (that was his very Word) they watch and hope to mend their Condition and Terms with the *Swede* in this Conjuncture. He blam'd the *Swedes* very much for entring into this War, *Mal a propos*, saying, they are like to smart for their Precipitation; there being at this Time Divisions among them at Home, like to be of no less Consequence than their ill Successes abroad; the Chancellor being at this Time publickly accused, and the King's Uncle, Prince *Adolphe*, a Prince full of Chagrin and Caprice, called out of his Retirements, to the Head of the Army, and other Affairs; that tho the *Spaniards* will be content with Terms lower than those of the *Pyrenees*, yet having now a Prospect of great Vigour in that Government, by the absolute Power that Duke *Juan* will have, they will insist to have reasonable Terms and good Security. And they will not, in all Probability, as he said, be brought to part with the *Franche Comté*. The Reasons he gave me, as far as I am able to recollect them, were these following.

1. 'TIS an ancient *Fleuron* in the Crown of *Spain*, the more noble, in that the Order of the Golden Fleece hath its original thence: and that the Court of *Spain* retains several Officers, Guards and Ceremonies to this Day, as peculiar to the Duke of *Burgundy*.

2. THE *Franche Comté*, when in the Hands of the *French*, will be a perfect Check upon the *Swisses*.

3. IT will be in a Manner an Outlet for *France*, and a Frontier too close upon three of the Electors, *Mentz*, *Triers*, and the *Palatine*, that it may pour in what Force and Violence it thinks fit upon any of them;

them; so that if the Election of the Dauphin should come hereafter to be proposed for King of the *Romans*, these Princes should not dare to oppose it; but such an Election would be carried without Controversy, tho' *Saxe* and *Brandenburgh* should oppose it, since *Bavaria* and *Cologn* are already within the Interests of *France* entirely.

4. If the *French* do get *Burgundy* into their Hands, all Correspondence between the Emperor's Hereditary Countries and the *Spanish Netherlands* will be quite cut off; which will be the greatest Prejudice and weakning that can be, to the Defence and Support that the two Branches of the House of *Austria* are to give one another upon all Occasions.

5. This would be a weakning and dismembring of the Empire in its present Constitutions, which will not easily be endured; that it would be a very great Prejudice to the Prince of *Orange*, and to his Heirs, to be at the Mercy of *France*, as to his Estate in *Burgundy*, just as he is in that of *Orange*. That he hath there Fiefs and Seigneuries so honourable, that the Son of a King (that was his Expression) may very well hold them, as the Tenures now are, without Disparagement. That his Dependencies there are very great. *Besançon*, the Salt Pits, and above 200 Villages, being his in a Manner in Soveraignty; besides that, all his Rights there make a very considerable Part of the Revenue he has to subsist on.

The Pensioner having enlarg'd to this Effect, upon the Concernment of the *Spaniards* not to part with *Burgundy*, as upon a Theme not new to him, he laid it next as a great Difficulty how to come to such a Security, as should satisfie the Doubts and Fears of the Confederates, where they have to do with a Nation that is so active and enterprizing as the *French* are; and where the Councils are such, that can satisfie their Prince, that he may justly make such a War as that against the United Provinces *pour sa Gloire*; that he may invade a Country, while the Soveraign of it, being within the Publick Faith of a Treaty, dreams not of any such Surprize; and such as can intrust a Minister to assure the Catholick Queen at *Madrid*, that the Arms of *France* should not do the least Prejudice to the Dominions of *Spain*, while the *French* Cannon was at the very same Time battering down the Walls of Towns in the *Spanish Netherlands*: These Objections he repeated in several Parts of his Discourse.

That which gave him Hopes, he said, that *France* is not now averse from a Peace is, *First*, That they do more than begin to want Money in that Kingdom, being brought to make great Anticipations upon the Revenue. 2. That *France* is concerned to preserve unto *Sweden*, the Interest and Footing it hath in *Germany*; and since that cannot now be to redeem it, in order to give a Counterpoise to all Attempts that shall happen to be made against *Alsatia*, no other Prince or Power in *Germany* being like to serve the *French* usefully to them, and with less Hazard to himself, as the *Swede* is; Cardinal *Mazarin* having always valued himself, as he said, upon those Councils, whereby he joyn'd *Sweden* to *France* inseparably; and being used to boast of that Project as his Master-piece, and as a sufficient Compensation of all the Blood and Treasure expended by the *French* in *Germany*, whenever the continuing of that War was objected to him.

He closed his Discourse, with an Intimation of his Fears, rather than his Hopes, about the Peace, saying, That tho' these States had nothing of Advantage to hope by this War, nay, tho' they may obtain from the *French* (as hath been offered them more than once) their own Terms, yet that they cannot forsake their Allies, or leave them in an unsafe

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Condition, or in a Necessity of accepting Terms not honourable; that these States would have all the Deference possible for the Sentiments of the King our Master, and this his Mediation; and that the rather, because his Majesty hath as little Cause as they have, to wish any Accession to the present Greatness of *France*, especially since it grows more and more formidable every Day by Sea; having now, as he mark'd it with an Emphasis, above 100 stout Men of War, ready upon all Occasions; and that it is not for his Majesty's Advantage, no, nor for his Ease, any more than for theirs here, that the *French* have already so many strong Places in *Flanders*; this he concluded withal; and this is as near as I am able to recollect, both the Subject Matter, the Words, and the Method that this Minister was pleased to limit himself to in this Conversation.

This Evening, before I left the *Hague*, I attempted to return M. *Fagel* his Visit, but he was not at Home.

Friday, Nimeguen $\frac{7}{17}$*th Jan.* 1675-76.

Sir,

Arriving here at 8 last Night, I take Leave with the first Occasion, tho' it seems to be somewhat the furthest Way about, humbly to acknowledge the Honour of yours of the 22*th*, and another of the 28*th* past, *O. S.* the first having overtaken me as I was parting from the *Hague*, the other expecting me here. I address this to your Honour, as an Essay, by the Way of *Antwerp*, reserving myself for to-morrow by the Way of the *Hague*, and have this Account (different from the Prints here, which have allowed me to take a Turn to *Amsterdam*) to give you of my Voyage.

In my last, which was on *Tuesday* $\frac{28}{7}$*th* past, from the *Hague*, I told you, Sir, I would, having taken Leave of the Prince, be going next Day; but having not had the Order necessary for a Yacht, and to free me from Tolls, it was late on *Thursday* before I could reach *Rotterdam*; whence, lying on Board that Night, I set out next Morning with the Tide, being this Day sevennight, the Wind being very fair, and having long lain so, to come up to this Place all the Way (which was the Advice of my Friends) by Water; we were not got up the *Maes* as high as *Dort*, but the Wind chopt about to the *East* directly against us, and being not able to make any more Way than the Tide did carry us, which was about a League further, we waited there all *Saturday*, *Sunday*, and *Monday*, being the three last Days of the Moon, but all in vain, for the Change of the Wind. On *Tuesday* Morning, leaving the Yacht, and also a Bylander, in which the King's Plate, and the little Plate I brought along with me was laden, to fall down back again, under the Care and Conduct of Mr. *Wynne* and Mr. *Ellis*, and 6 or 7 Servants, I order'd the Bylander to wait for a Wind in the Harbour of *Dort*; as did 2 other Bylanders that had followed us from the *Hague*, having the Baggage of Messieurs *Van Beverning* and *Van Haren*, bound for this Place, on board them; where if the Frost do overtake them, I may stay probably a very long Time without those Necessaries, having been forced to quit the Yacht and also my Baggage. I caused myself, and about 20 more in my Company, to be row'd up in Sloops as far as *Gorcum*, which, tho' reckon'd but 4 Hours, we were 8 in passing, the Wind being then, and continuing to this Moment, in the same Point; as I pass'd up to *Gorcum*, there were several Horsemen laid in the

the Way to carry the Tidings of our Approach. The Commander received me at the Landing Place. There were several Foot Companies drawn up in the Town the Way we pass'd; and the great Artillery went off three Times, not only there, but at *Worcum* and *Lovestein*-Castle on the other Side of the River, where is Deputy-Governor Major *Asseley*, younger Son to the Lord (old Sir *Jacob*) of that Name.

THESE Civilities had been ordered by C. *Horn*, General of the Artillery, and Governor of those Places. Having passed *Gorcum* without making any Stop, through a strange Crowd of People, I came to *Vianen*, by the Canal, that *Tuesday* Night; and on *Wednesday* having come by ten to *Utrecht*, I avoided landing in the Town, and provided myself in the *Faubourg* of Waggons, the only Voiture of the Country, and came within 3 Hours of *Rhenen* that Night. Yesterday I could not reach *Arnheim* before Sunset, where we quitted our Waggons, and came upon a Canal, I mean to the *Waal's* Side, by 8 at Night; being glad that nothing was known of our coming, whereby I had the good Luck to avoid the Embarrass usual in such Cases. Messieurs *Beverning* and *Van Haren* are expected here to Morrow. The *French* Ambassadors are said here to be at *Charleville* upon the *Meuse*. The Post will suffer me to add nothing more, besides the Assurance of my being, *&c.*

L. Jenkins.

Nimeguen $\frac{2}{12}$*th Jan.* 1675-6.

Right Honourable SIR,

IN those Lines I troubled you with last Night by the Way of *Antwerp*, I took Leave humbly to acknowledge the Honour of yours of the 22*th* and 28*th* past: I have now that of the 31*st* added to my Obligations. I shall not fail, GOD willing, to obey the Commands in yours, touching the Occurrences here; and for a further Essay, I send you inclosed the Continuation of what was begun with the good Liking of Sir *William Temple* at the *Hague*; and in case this Method does meet with the Happiness of your approving it to his Majesty, I know nothing that is like to put any Interruption to it for the future.

I took the Liberty to advertise my Lord *Berkley* and Sir *William Godolphin* of my Arrival here, by the last Night's Post: Messieurs *Beverning* and *Van Haren* are not expected here till *Monday*: The Deputies of this Quarter are now in their Assembly here about Subsidies for the War. I am very glad to have received his Majesty's Directions upon Sir *William Temple*'s Queries, before the Arrival of the *Dutch* Ambassadors here; who, as Sir *William Temple* writes me Word, will give me the Visit, but allow of the Rule. Therefore I humbly offer to Consideration, that we may not be unprovided, either of a sufficient Reason, or else of a handsome Expedient, if any Ministers, for Example those of *Spain*, should refuse to submit to the *Cologn* Rule, that there may be no Pretence of *Accrochement* to the good Work from our Master, who, by his Office, is to endeavour the Removal of all Obstacles, especially of such as have little or nothing of real Consequence. We ought to know likewise how to behave ourselves, in case of any Rencounter with the Pope's Minister when he comes; but that will be *cum zephyris & hirundine prima*, and not sooner. I am with all Sincerity and Respect, *&c.*

Leoline Jenkins.

Wedneſday, Nimeg. $\frac{12}{22}$*th Jan.* 1675-6.

Right Honourable SIR,

THE laſt I did myſelf the Honour to write to you, was of *Saturday* $\frac{8}{18}$*th*, with a ſeparate Account of M. *Fagel*'s Viſits, which I humbly take Leave to incloſe herewith. I took the Boldneſs ſince, that is, on *Monday*, to write to you, at the Requeſt, and by the Hand of Captain *Cuningham*, a little *Iriſh* Gentleman, that you may pleaſe to remember to have ſeen at *Cologn*, and to have relieved very liberally 2 or 3 Days before we left that Place. He hath ſince made the great Tour by *Rome*, *Venice*, and *Vienna*, and is going to lay his old Bones with thoſe of his Anceſtors in *Ireland*. I know not whether any thing that fell from him will be worth your Notice; as, 1. That there are 2 *Iriſh* Prieſts in good Note in the Univerſity, and in good Credit at the Court at *Vienna*. He call'd them *Dunwald* and *Forſtel*. 2. That this laſt is Kin to one *Forſtel*, now Secretary to the Duke of *Lauderdale*, was Preceptor to the C. *Zerini*'s Son, and travell'd with him, and when he ſaw his Time, diſcover'd the Father's and *Frangipani*'s Treaſon to the Emperor. 3. That young Count *Leſly* is now Governour of *Hungary*, a Perſon of vaſt Wealth and good Credit at Court. That the Rebels have ſubmitted to him, the Exerciſe of their Religion being allowed the Proteſtants there, and a Houſe for it even at *Vienna*. 4. That one *Jetaldino*, an *Iriſh* Cavalier, paſs'd thro' *Cologn* the Beginning of this Month for *Vienna*, having in his Company 2 young Men (*Forſtel*'s going by Name) to ſtudy there. 5. That there is one *Cuningham* a *Scotchman*, now Reſident for the Duke of *Holſtein* at *Vienna*.

MESSIEURS *Van Beverning* and *Van Haren* are not yet arrived. There are thoſe that ſay, they did ſet out on *Monday* from the *Hague*, and are to make a Halt for a Day at *Utrecht*, and will be here to morrow; Sir *William Temple*, in his of *Monday*, ſays, they will be here ſuddenly, but does not mark the Time when, nor yet their having left the *Hague*. He ſays, they will make no Difficulty when they come to give me the firſt Viſit, but others may; however, I'll expect it, and hold *pie ferme* to my Orders. I doubt not, SIR, but it hath already fallen under your Reflexion, what ſhould be done on our Part in Point of Conſortſhip, if the Republick of *Venice* ſhould be admitted (as 'tis ſuppoſed it will be) to a Part in the Mediation; and what Anſwers ſhall be given, in caſe ſome of the Parties ſhould argue againſt giving us the firſt Viſits, and in the *Pas*; ſince it will be but Juſtice to give ſome peculiar eminent Reſpect, and as we have it, to the Miniſters of that Republick, meerly for their Function Sake.

THURSDAY, being the only Poſt-Day from *Maeſtricht*, M. *Vandermeulen*, Major of Horſe here, had Letters from his Son, who is one of the Hoſtages from this Town there, that M. *d'Eſtrade* did expect to receive the *French* Ambaſſadors there, and did expect their Arrival within a Day or two; what to morrow will afford his Father from that Gentleman, you ſhall know by the next; but here was an Alarm in Town yeſterday (brought I cannot yet learn by whom) from *Cleves*, that the *French* Ambaſſadors being come as far as *Charleville*, are upon a ſudden call'd back again.

THE People in this Town are very much in Pain, that the Neuter Country is not yet declar'd and fixt; and they will be but very little ſatisfied and relieved, if it be of no larger Extent than our Inſtructions

bear;

bear; for if so, the Country whence this Market was served in Time of Peace, will be left still, all of it, under Contribution to the *French*; which we must reckon to pay in the *Denrées* that we shall have Use of. I am, *&c.*

L. Jenkins.

Nimeguen, 15th Jan. 1675-6. (being no other Stile here but the Old.)

Right Honourable SIR,

I Am to begin this with begging, as I do most humbly, your Pardon, for not beginning my last, which was of the $\frac{11}{11}$*th* Current, the Duplicate whereof goes here inclosed, with an Acknowledgment express of the Honour of yours of the *4th* of *Jan.* which I had received that Morning; I shall be more punctual for the future in that Point.

THIS Morning News was brought me, that Messieurs *Beverning* and *Haren* were arrived each of them in a Yacht before this Town, and that the Soldiers were drawn up, and so I found them to be, in the Market-Place, to give them Reception; upon the Sight of the Soldiers so drawn up, I thought fit, pursuant to my Instructions, to send a Gentleman on Board, which I did immediately, with a Letter to the Ambassadors, the Copy whereof goes herewith: You will find, SIR, it was to advertise them of his Majesty's Instructions to us, not only to avoid all Entries ourselves, but also to pray all other Ambassadors to do the same. The Gentleman I sent found M. *Beverning* on Board, who, besides the Return he made to the Gentleman's Complement, added, that the Contents of my Letter should be observed very punctually, and that every Thing else that should come to them in his Majesty's Name should meet with a full Obedience. He further said, that this very Matter had been concerted, as I desired it should, between Sir *William Temple* and them, before they left the *Hague*. About 2 Hours after, a Gentleman whom I have seen both at *Cologn* and in *England* with the Ambassadors, came to me with another from on Board the Ambassadors; he began with thanking me in their Names for my Complement; I did not find him to take any express Notice of my Letter, by mentioning they had received it; only he said, the Ambassadors did intend to stay on Board these 2 or 3 Days, till their Lodgings might be ready for them; that when they did land, they will, as the States General have expresly ordered them, be sure to decline all Reception and Ceremony; and the rather, in that they find it to agree with his Majesty's Sense, whom they will be always ready to obey, as also (for so he express'd himself) his Mediators.

THE Gentleman I had sent, having not found *Van Haren* on Board, and their Complement coming as well in his Name as *Van Beverning*'s, I sent the Gentleman the second Time to complement him, on Board his own Yacht.

THE Person I told you in my last had spread the News of the *French* being recall'd, was the C. *d'Erpach*, Son-in-law to C. *Waldeck*. M. *Vandermeulen*'s Son writes from *Maestricht*, that M. *d'Estrade* does not expect them.

THE *French* Ambassadors have had Lodgings hired for them here about 3 Weeks ago; the Landlords are to void the Houses at 14 Nights Warning, then the Hire is to commence, and not before; the *Spaniards* have agreed as to the Warning, to be given upon the same Term; but the *Imperialists* have agreed to give 6 Weeks Warning; none of these

Warnings are yet given, yet the *Dutch* Ambassador's Gentleman told me to Day, M. *Christin* was set out from *Madrid*, but that M. *de Mançera* hath excus'd himself by Reason of his great Age.

I beg the Favour of what Furtherance may be from your Honour to *Powell Williams*, who is to bring over my Equipage with all the Speed he can possible. That which I am the most sollicitous for is, that the Vessel fall not into the Hands of Privateers; for such a Misadventure would undo me more Ways than one. I am with all Truth and Respect, &c.

L. Jenkins.

A Messeigneurs les Ambassadeurs de Messeigneurs les Estats Generaux des Provinces Unies.

15/25th Jan. 1675-6.

MESSIEURS,

VENANT d'apprendre l'arrivée de Vos Excellences devant cette ville, j'en reçoy la Nouvelle, avec une joye la plus veritable qui puisse estre, & envoye ce Gentil-homme pour feliciter vos Excellences de leur heureuse arrivée en ce lieu; Je supplie vos Excellences, qu'elles ne trouvent pas mauvais, que je marque icy comme en passant que le Roy mon Maître m'a defendu, & de même à Messieurs mes Collegues de faire aucune entrée publique, ou d'admettre les Civilitez ordinaires qui pourroient s'offrir sur mon arrivée icy: Ce que j'eus le bon heur d'eviter sans difficulté, le Roy dans le même Article de nos instructions a ajouté tres-expressément que nous aurions à prier tous les Ambassadeurs & Plenipotentiares, qui auroient à se rendre en cette ville de se dispenser, tant qu'il sera possible, des ceremoines d'une entrée publique, afin d'eviter des Contestations qu'on pourroit faire, & même qu'on a vu faire ailleurs, en des telles occasions; Ce n'est pas, Messieurs, que je ne sçache tres bien la grande prudence de vos Excellences, & qu'il est impossible que vous fassiez autre chose en cette rencontre, que ce qui sera tres-digne de vôtre Caractere, & de la belle Conduite qui est ordinaire à vos Excellences dans les grandes affaires, particulierement là où vos Excellences se trouvent chez elles; Mais je n'ay pû me dispenser d'écrire ce petit mot, de peur de manquer aux devoirs dont je dois tenir compte au Roy mon Maître, sur cet Article de les Instructions, & d'asseurer vos Excellences le plûtost qu'il m'est possible, que je suis avec un veritable respect,

MESSIEURS,

De vos Excellences le plus humble
& tres Obeissant Serviteur,

L. Jenkins.

Wednesday, Nimeg. 19 *Jan. O.S.* 1675-6.

Right Honourable SIR,

MY last was of *Saturday* 15. the Duplicate whereof goes here inclosed. I have this Morning the Honour of yours of the 11*th*, and also of the 14*th*, come to my Hand together. The Duplicates of the 11*th* accompany this last of the 14*th*, for all which 'tis impossible I should make my Acknowledgments as I ought.

IN

In my last, I gave your Honour an Account of the Arrival of M. *Beverning* and *Van Haren* on *Saturday* last in the Morning before this Town, and of the Occasion upon the sudden given me, (the Soldiery appearing in Arms for their Reception) to let their Excellencies know, by a few Lines here inclosed, how our Master had instructed us, not only to avoid all Ceremony ourselves, but also to perswade all other publick Ministers to do the same, at their Arrival here.

They came not ashore, except that M. *Van Haren* stole into Town a *Saturday*, but return'd suddenly on Board again till this Morning, their landing was without Ceremony or Noise. They have dined this Day in their several Houses, and have taken leave of their Yachts. I hear nothing yet of their first Visit, but expect it *pié ferme*.

On *Monday* last, I received a Letter from Messieurs *Colbert* and *D'Avaux* at *Charleville*, a Copy whereof goes here inclos'd, addresś'd to Sir *William Temple* and my self. It was brought me by a Gentleman they have sent hither with two Domesticks more, in Order to prepare the Houses that are hired for them. I took Occasion from this, to return them the Answer inclos'd; wherein, besides that I give them some Account of the Stop upon the Passports they are there expecting, I take leave to acquaint them, in the Close of what I had to say to them, as News of the *Dutch* Ambassadors Arrival here, how the Judgment of our Master is against all publick Entries whatever: His Majesty's Instructions bearing that we should prevail with the several Ambassadors and Plenipotentiaries to decline publick Entries; I thought it my Duty, to prepare the *French* as well as I was able with this Address. But finding the Gentleman that delivered me the Letter not intending to Return, nor yet able to direct me to any other Conveyance for mine, I resolv'd to recommend it to the Governor of *Maestricht*, by the Scrip inclosed; that he may, if I cannot find a Convenience to hand it forwards, keep it by him till they came thither, where by the Way, the Gentleman told me, they resolved not to make a Halt so much as for one Night's Lodging, but pass on hither with all the Diligence possible, as soon as they shall receive the Passports of *Spain* and of the States, which he told me, he has the greater Hopes his Master will not be long without, in that he found, as he pass'd by *Namur*, that Order had been given there from *Bruxels*, for the Solemnity of their Reception, but he knows not, it seems, where the Resort of that Matter moves: Having taken the Liberty to do thus much, in Order to inform the *French* Ambassadors of his Majesty's Sence about the Matter of Entries, I do beg the Honour to know, whether there is any Thing further, in Order to prevail with them; and whether we must find out Ways to forewarn other Ministers before they come at this Place, and how it is to be done, if his Majesty desires they should wave Entries.

This, Sir, I doubt not, but you will concert with *D. Petro de Ronquillo*; but my humble Suit is, to know how we shall best and sufficiently execute that Article of our Instructions, when we hear of other publick Ministers moving this Way.

This Morning, the Burgrave of this Place visited me; when I told him of two Leagues *à la ronde* this Town for a Neuter Country, he answer'd me 'twas as good as nothing; for the Ground within that District produces neither Corn, Hay, nor Oats, nor any other Kind of Sustenance, bearing nothing but either Heath or Turf.

At Noon arrived here Mr. *Skelton*, his Majesty's Envoy Extraordinary; he staid no longer than to do me the Honour to take a Dinner with me. He hoped to reach *Cleves* this Night, and *Cologn* on *Saturday*; he was some-

ſomewhat bruiſed in his Leg and Arm with a Fall, but very intent upon his Journey.

Sir, you may be very well aſſured, I ſhall not abate any Thing, God giving me Life and Health, of our *Cologn* Meaſure, when I have Matter; but tho' I do *pratique* and frequent all that I find here of any Quality, yet I aſſure you, the Converſation will not yet furniſh (ſo far are we from the Senſe of Buſineſs here) even ſuch Matter as *Jodocus Semlerus* would think worthy of Place in his Itinerary. I am with all Reſpect, &c.

Leoline Jenkins.

Saturday, Nimeguen 22 d Jan. O. S. 1675-6.

Right Honourable Sir,

MY laſt that I gave you the Trouble of, was *Wedneſday* the *19th*, the Duplicate whereof I take now leave to encloſe. This Morning, which is the Arrival of the Poſt from the *Hague*, does not bring me the Honour of any of yours, nor any out of *England.* I told you in my laſt, Sir, that Meſſieurs *Beverning* and *Van Haren* had taken leave of their Yachts, and were to lodge, as they did that Night, in their own Houſes; but, as I am now better informed, they live both in one Houſe.

The next Day being *Thurſday*, M. *Beverning* alone, attended by his Secretary (or rather that of the Embaſſy) and another Gentleman, came to viſit me at my Houſe in the Afternoon, but without ſending to take an Hour, neither was M. *Van Haren* in his Company, nor any Mention made of his Name by him or me; the firſt Thing that he ventur'd upon in Converſation was, to acknowledge how highly, great and good, his Majeſty's Undertaking and Zeal is in this Mediation; expreſſing his beſt Wiſhes and Hopes, that God would give a Bleſſing upon it, ſo as that he might live to ſee, not only Peace reſtored to this State, but alſo to ſee it joyn'd in the ſtricteſt Friendſhip and Union poſſible with the Crown of *England.* That the two Nations might live and flouriſh as one, as they did in Queen *Elizabeth*'s and King *James*'s Time; adding, that both Nations are ſo much the more concerned to do ſo at this Time, upon the Account of one and the ſame reform'd Religion, and alſo upon the Account of that Trade, by which the one and the other Nation hath ſo long flouriſhed; the one and the other being like to run a great Danger, unleſs both the Governments be knit together in a very ſtrict Union the one with the other; which now he thought we could not miſs of, God Almighty having plac'd the Prince of *Orange* as a Gage, the deareſt and neareſt that can be to his Majeſty and this State, and in a Station capable to maintain all good Correſpondence poſſible between the two Nations: From this he deſcended to give me Thanks for the Letter I had writ to them to prevent their making any Entry, ſaying, it ſurpriz'd him very much to hear that the Soldiery had been drawn up in the Market Place, in Expectation of their Landing; this he gueſs'd, and that rightly too, to have been the Cauſe of my Writing; but that Appearance was not, as he ſaid, with an Intent to complement them; it was the Pay-day of the Garriſon, and they had been drawn up to that End.

That he, for his Part, had ſo concerted the Thing beforehand at the *Hague*, that there ſhould be no Ceremony, (and I muſt do them that Right, I did not hear ſo much as the Guns of their Yacht go off at their Landing) and it was his Judgment, as he ſaid, that it was a Precaution worthy his

Majeſty's

Majesty's great Prudence and Zeal, to endeavour thus timely to prevent those Embarrasments, which never do any good, and seldom are without Mischief. But he was afraid, he said, the *French* Ambassadors, M. *Colbert* especially, having had Cause to take notice at *Aix la Chapelle*, of his Disposition in this Point, would affect to have a publick Reception; for M. *Colbert* having sent at *Aix*, to bespeak his (M. *Beverning*'s) Coach, he endeavoured to disswade him all he could possibly from making the Entry, (for if he did, he would not refuse his Coach) in Regard of some Dispute, that might be between M. *Beverning* and M. *de Strasbourg*, who was there in Person with his Guards; but M. *Colbert* was not then to be perswaded, and M. *Beverning* was forced to desire the Rhinegrave to send a Party of Horse out of *Maestricht*, with Orders, in Case of a Conflict, not to kill any but the Horses only, in Case M. *de Strasbourg* should attempt to get the more honourable Place; but to let M. *Beverning* see, I had done what lay in me, to dispose the *French* Ambassadors to comply with his Majesty's Judgment, and not to pretend to make any Entry here, I called for the *Brouillon* of that Letter I had written to Messieurs *Colbert* and *D'Avaux*, in Answer to theirs; and let him see, how I did lay before them his Majesty's Judgment upon the Thing, and his Charge upon us.

This Subject let in M. *Beverning* further into the Matter of Ceremony, saying, he with all Frankness used to break through all Things, or rather pretend to nothing, where there appeared no Competition with his Masters in the Case; and that the States General had now given a Rule of much Ease to their Ministers to walk by; it is, that their Ministers shall yield in every Thing to crown'd Heads, and so to the Republick of *Venice*; yet the only Instance he gave was, the giving of the Hand to the Envoys of crown'd Heads in their Houses; but there remaining a Competition between their Masters and the Electors, and several other Princes, in Rencounters with those Ministers, these are to yield no Punctilio.

This lead him insensibly to the Chapter of first Visits, upon which, after he had complemented me with saying, he was in a great Impatience till he had embraced me, he said, he was afraid some other Parties in the Congress would make a Difficulty upon this Point; that that which was done at *Cologn*, was a private Compact of one Side only, and neither consented to, nor practised by any Party of the other Side; for he was very sure, as he affirm'd it, that the *Swedish* Mediators gave to him and his Collegue the first Visit at *Cologn*; and that it had been so observed at *Aix la Chapelle*; (where yet he confess'd, the Figure of Mediators was not so solemnly put on and acknowledged) and so in all other Places hitherto. When I say, said he, that others will make a Difficulty, I do Instance in the *Spaniards*, for they have Heights peculiar to themselves; all the while, said he, we were at *Cologn*, *Don Emanuel de Lyra* and Monsieur *Blondel* never vouchsafed us the Title of Excellency; yet this we pass'd over, and gave them the Hand in our Houses; which yet, said he, I would not have consented to, had I known what I do now; for I have learned since, that neither of them had any Commission for that Negotiation; sure I am, said he, Monsieur *Blondel* had none, and tho' M. *de Lyra* had Credit enough with one of the Secretaries of State, by Reason of his Relation to him, to procure him one, yet I have had since Cause to believe, he had no Commission neither; thus having done with the *Spaniards*, he expressed his Sense very much upon this Subject of the first Visit, as if he would have had me taken it, (such as it was) which I did not understand by any Means a

first

first Visit well given, and in due Form. He spake of their being here at Home, yet he look'd upon himself now, as being Ambassador in a Place where his Masters had nothing to do; and that his Visit was as if he had been at *Cologn*, or some other neuter Place, still concealing something, which yet he would have willingly spoken out.

FROM this of Visits, he went to the Care we should have, that all Lacquies should be forbidden to wear Swords; and of the Provision we are to make of a publick Place for Conferences; he was in doubt we should not be so well accommodated here, as at *Cologn*; he fear'd there could not be in the Stadthouse of this Town, Avenues convenient enough, and as many in Number as will be requisite; but in case that would not serve turn, he said 3 or 4 Houses standing together must be hired, and Passages made on each Side to the middle Room, where the Mediators are to be; and that he would give me his Judgment and Assistance in the viewing and considering of all Places that may be for the turn; he supposing, that in the Site of the several Rooms, that may otherwise be assign'd to the respective Parties, there will be Punctilio's insisted on, and that it will be a difficult Matter to accommodate and content them.

NEXT he discoursed of a large Circuit of Neuter Country, for our more easy Subsistance here. That the Most Christian King is too rigorous in not granting more than 2 Leagues *à la ronde* of this Town: That 'tis true it may be objected to the States here, that they would not (at the Instance of the Mediators) allow of any Circuit at all about *Cologn*, when the Prince came up to *Bonn*. But this the States, said he, refused, not out of any Disrespect to the Mediators, or that Assembly, but out of a meer Design of a little Revenge upon the Elector and his Friends, whose Estates lay about the City, (*Messieurs les Moines* was the Expression, by which I believe he meant the Chapter of the Cathedral) who had been so forward to ruin and tread under Foot every Thing they came at in this Country.

HE said, how he had always believed it impossible so to extend the Neutrality, as to take in the Country of *Meures*, he having always observed the Most Christian King to have nothing of Kindness for the Prince, who is not, he says, behind with him in Point of good Will. He instanced several particular Things, wherein the Prince had suffer'd in his Estate (as the blowing up the House he had for Pleasure and Retirement in the Mayery of *Boldve*, the ruining of *Meurs*, &c.) since this War. He added, that we Stranger Ministers should, by the Dearth and Scarceness of all *Denrées*, quickly feel the Inconvenience of so narrow a Circuit in our Purses; for their Parts, they can better provide and shift for themselves, and truly so they do; for as they had their Fuel from hence, you may please to remember it, SIR, to *Cologn*; so they have now their Hay and Oats (here is scarce any here) out of *Holland*.

IN this Conversation he did say no more of the Probability and Terms of the Peace, than that they had for their Part little to demand, and would be easily contented, only they must stick and be firm to their Allies: That the Most Christian King is indeed very much to be dreaded for his Force and his Conduct; that he hath one great Advantage that will never fail him against the Confederates, in that he is obliged to ask or take no Advice but his own: That they in this Country do flatter themselves, that his Money begins to be scarce with him; that their Case here is as bad, if not worse, and so he fears it is with the rest of the Confederates.

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Hereupon he took Occasion to bemoan the Government of *Spain*, that it is not able to make good the Interest and Figure it hath in this Confederacy; some Hopes he conceives of its Restauration, now that *Don Juan* is to be at the Head of Affairs; he hath shewn very much what he can do, in having kept the Kingdom of *Arragon* in excellent Order, as he hath done all this while; saying, that if he do but abolish the Abuses of the current Money in *Castile*, and abolish the Plurality of Pensions, the Government will quickly recover its former Vigour; one Instance he gave of the private Wealth of some in that Court, amidst the great Wants of the Publick, that the Duke of *Pastrana* is lately dead with 260000 Crowns lying by him in ready Money.

It was one of his Concessions (as I may call it), that the Confederates will have always little Jealousies and *demêlées* among themselves, tho' they be never so successful.

Carolstad, he said, he hoped would be surrendred to the *Mouterians*, but the *Dane* would gladly get the Possession, which would be an entire Ruin to the City of *Bremen*; but the States have sent a Person from themselves thither in all Haste, to interpose their Offices; this State professing to owe a special Protection to that City, in that it is the only City in all *Germany*, that always hath been, and is still, of the Reformed Religion, as it is distinct from the *Lutheran*.

From *Denmark* they had News, he said, that a free Passage would be allow'd to the *Swedish* Ministers to come to this Treaty; and that M. *Mayer* (now he hath an Addition, as a Mark of being enobled, to his Name) who was at *Cologn*, will be here on the Behalf of *Denmark*.

Upon the Subject of Prince *William*, who, he says, is indispos'd and hectick, he gave it for a Reason why the States and the Prince could not joyn their Offices with those of his Majesty to the Emperor, that Prince *William*, among some high Words he had with M. *Odyke* at *Cologn*, did say, he had for 15 Years then past been labouring all he could to bring about the Ruine of this State. This M. *Ehrenstee*n, being it seems present when the Words were said to be spoken, did by Implication as much as confess to have heard, when he was asked of it in his Embassy here; this is the Cause that in the last Deliberations here, neither the States nor the Prince could hear Prince *William*'s Liberty moved without Indignation. He spake of his own self, as never having accepted of any Present in any of his Embassies: In *England*, he refused a Present of Plate worth 1000*l*. In *Spain*, a Jewel worth 1500 Pistols; whether this might have any Regard to a Rumour (and 'tis but a meer Rumour) in this Town, that the States will pay the Rent of the Mediators Houses, which I must confess, tho' they be twice as dear as those at *Cologn*, I do not desire; or whether it had no such Reflexion, I humbly leave to Consideration.

He acknowledges much the Happiness of this Government under the Prince, it having come to what it is, wholly by that Family; wishing that the Liberty of the People, and Pre-eminence of the Prince, may always keep themselves in that equal Poize, that one may never attempt or incroach upon the other.

He blamed very much the irreconcileable Thwartness of *De Wit* against that Family, and upon that Account against the King our Master; saying, that in the Freedom he had had with him, he found him not only to be mistaken, but also uncouncellable in this Point: M. *Beverning* being of Opinion, that 'tis impossible so great a State as this is, can contain itself, and subsist within the pure Terms of an Aristocracy.

I had almost forgot to tell you, Sir, how he found Fault with the Passports for the *Lorain* Ministers, it being a Diminution that would have been taken Notice of, had the Stile been — *Charles* Prince *de Lorain*; but to have levelled the Duke with all those that pretend to be of the House, as those of the House of *Guise* do, by styling him no more than — *Le Prince Charles de Lorain*, is that which cannot but *choque* very much.

One Thing more he remark'd, which I know not how far we are free from the Embarrass of, as Mediators, if it should be revived again; for my Part, it is my pure Opinion we must interpose our Offices. The Fact was this: On *Monday* last, four or five Charretts, with the Baggage of M. *de Vitry*, says he; says M. *de Vitry*'s Landlord here, of Messieurs *Colbert* and *d'Avaux*, either landed from off the *Meuse*, or else came from *Maestricht*-ward by Land, and crost over the *Meuse* at a Place called *Mook*, 2 Hours from this Place; 'tis, it seems, a little Village upon this Side of the *Meuse*, and straight over-against this Town; where there is at present a Horseguard to stop the *French*, in case they should make any Attempt to make Courses into the *Maes-waalt*, or the *Betuwe*; a Cornet that commanded this Guard, demanding the Passports of those that were with the Carts, had shewed him a Passport signed by the Governour of *Namur*, whereat he rested satisfied, without asking for any Pass of his Superiors here. They blame the Simplicity of the young Officer extreamly, for every body here hold, that if he had seiz'd on those Goods, he might have had them adjudg'd to himself and Party good Prize, and the *Frenchmen* made Prisoners of War; but both the one and the other are now in Town, and hitherto unmolested.

I must not forget to tell you, Sir, how the Allies, as M. *Beverning* was pleased to say, pressed to know of these Ambassadors, why they made this Hast hither, and what to do? And that their Answer was, it was a Shame to them not to be here with the first, since the Place of Congress was in a Manner at their own Door.

Thus, Sir, you have the most minute Account I am able to recollect to myself, of what pass'd at this Visit; which I have not yet return'd, as conceiving it to be my Duty to expect a Visit in Form, according to his Majesty's Order, and to return that, before I can take Notice of what is done in Favour to me in particular: I concluded 'twas a Visit *en amy*, and not in Form.

1. Because here came but one of the Ambassadors, there being another in Town.

2. Because there was a kind of Negligence in the Equipage, and that affected; there being but 2 Footmen by the Side of an old Coach, they having new ones brought up with their Baggage.

I did not return it *en amy*,

1. Because that having strict Orders to expect the first Visit, as a just Respect due to my Master, I am to see his Expectation satisfied, before I can (without Absurdity, as I conceive) take Notice of a Civility intended only to me.

2. His Majesty's Order is expresly of Ambassadors in the Plural Number, as your Letter, Sir, of the 28*th* of *Dec.* sets it down. And Sir *William Temple*, in two of his from the *Hague*, telling me, that they, speaking of these two Ambassadors, will make no Difficulty of giving me the first Visit; and sure I am, 'tis noted in *Victorio Siri*, that M. *d'Avaux* alone, before M. *Servien*, or the Duke of *Longueville* came to him, did receive a solemn Visit from a Body of three Ambassadors, (*Imperial*, as I take it, for my Note is short, in not setting down who they were,

were, 'tis *Tom.* 5. *parte* 2*da.* *p.* 292.) so that if this does stick finally, 'tis because they will not conform themselves to the Practice at *Cologn.*

3. That which I apprehended was, that if I shall return this Visit to M. *Beverning*, I should have found M. *Van Haren* in the same House, and then my appearing would have been interpreted a first Visit; and that Point being so lost, had not been to be recovered by their first visiting Sir *William Temple* when he should come; for the first Visit had been his due of Course, according to the general Rule.

Happening to have charged myself in *London* with a Letter for M. *Beverning*, I desired Mr. *Chudleigh* to go yesterday in the Afternoon to deliver it in my Stead, and to tell him how impatient I was till the Visits of Ceremony were over, that I might be at Liberty to wait on him; hinting to him, that I had understood from Sir *William Temple*, how I was to demean myself in Obedience to the King's Pleasure, till I had received and confessedly render'd the first Visits. When this was civilly intimated to him, he said he knew what his Majesty's Orders were to me, but that he was in a great Embarrass to put his House into some Order; not saying that he would, when that was over, think with his Collegue of making me a Visit in Form, obscuring all he said, as before with me, with general and many Words.

Thus, Sir, stands my Case, and it is my Unhappiness to be so little seen in these Matters of Visits, that I cannot but mistrust myself in what I do, only I have endeavoured to order my Error on the safer Hand; for I am certain his Majesty expects the first Visit, but I am far from being certain, that this was in such a Form as he will allow of; and if it be not, I am not certain that I am at Liberty to take Notice of it, and to return it.

However, Sir, I humbly beg you to lay me as low as I ought to be at his Majesty's Feet, and to intercede with his Royal Goodness for his gracious Pardon to me for what I have done amiss. Sir, you see how great a need I have of your Favour, and 'tis with more than ordinary Confidence that I throw myself upon it, as having great Experience of your Generosity and Charity towards me, who am with an unfeigned Respect, Sir, *&c.*

L. Jenkins.

Wednesday, Nimeg. 26 *Jan. O.S.* 1675-6.

Right Honourable Sir,

My last was of *Saturday* the 22*d*, the Duplicate whereof I take leave herewith to inclose. This Morning I have the Honour of two of yours together, one of the 18*th*, the other of the 24*th*, for which you have my humblest Acknowledgments with all the Thanks possible; most especially for those Copies of your Letters to others, such as of that M. *Skelton*, and of that to my Lord Ambassador at the *Hague*, which give me a full View into the Light they stand in, and serves not only for a Satisfaction, but for my better Government.

My last was a minute Deduction (but I must confess a tedious one) of M. *Beverning*'s *entretiens* in the Visit he gave me; besides, I humbly presumed to lay before you my poor Reflexions upon the Design that he had, as I conceived, in that Visit, which was to make it pass for a first Visit given in Form, and I gave you my Resolution not to understand it as such, and therefore not to return it at all.

It appears now by Sir *William Temple*'s Letter to me from the *Hague*, on *Monday* laſt upon this Subject, that the States and the Prince had received an Account of this Viſit, and it was their Meaning, that this Viſit of M. *Beverning*'s ſhould have paſs'd for all that was due to me; and that the Viſit in Form, ſhould be deferr'd till Sir *William Temple*'s Arrival here. This M. *de Maurregnio* repreſented to Sir *William Temple*, from the Prince and the States, excuſing this Omiſſion, (in Caſe it muſt be taken for one) as having been occaſioned by their Ambaſſador's Underſtanding me to be here *incognito*, becauſe they found my Coaches and Liveries were not yet come up.

'Tis true, Sir *William Temple* ſays, that the Prince hath undertaken theſe Ambaſſadors ſhall be writ to, that both of them do make me a Viſit in Form; what will be done, I am not able to foretel, but am reſolv'd to keep to the Ground I am now upon, till I have the Honour to know his Majeſty's gracious Pleaſure, unleſs they do both give me the firſt Viſit, which then I ſhall return in an Equipage as near as I can, for I have my Number of People here anſwerable to theirs.

But you will, I ſuppoſe, Sir, judge this ſo much the more neceſſary, as they did intend to reſerve the firſt Viſit till Sir *William Temple*'s Arrival here; for the Conſequence of that would be, that one of them only having viſited me *en amy*, which is quite another Thing from a Viſit in Form, I ſhould in all Probability have found both of them at their Houſe to receive me, as in a firſt Viſit to them in Form, tho' I ſhould deſign no more than to return M. *Beverning* his Viſit; then the Viſit paid to Sir *William Temple* would have been a Viſit within the general Rule, which runs in Favour of the laſt Comer, and ſo his Majeſty's Expectation would have been anſwer'd at the beſt with a Moot Point, if not with a clear Diſappointment.

Nor can I think the Matter of my Equipage (the coming whereof, ſooner or later, depends upon ſo many Accidents that are not in my Power) to be other than a meer Pretext; for beſides that you, Sir, and I, made and return'd our firſt Viſits at *Cologn*, before we could put ourſelves into any Equipage, I find Mr. *Chudleigh* able to aſſure me, that my Lord the Earl of *Sunderland* did lately the ſame in his Embaſſy in *Spain*.

This Incident, Sir, brings me to beg of you a Copy of that Order of Council, (for I remember to have heard that there is ſuch a one) that directs how our Ambaſſadors are to govern themſelves as to the Hand to Envoys in their own Houſes, and ſo of any Thing elſe that ſhall occur to their Memory, and that your Charity ſhall think fit to reach to me for my better Government; for tho' I am anxious enough in theſe Matters, as knowing the Value they have in the World; yet am I the moſt unacquainted that can be poſſible in the Practice, as it doth obtain in the Courts, and among the Miniſters of Princes, at this Day. On *Thurſday* laſt, M. *Blaſpil*, the Miniſter of the Elector of *Brandenburgh*, paſſing from *Cleves* through this Town to the *Hague*, gave me the Favour of a Viſit; whether he had any Character or not I could not diſcover; however I was careful not to give him the Hand or *Chaiſe à bras*. He told me, he hoped to be here with M. *Schwerin* the Father (who is now at *Cleves*) upon the Account, and in the Name of their Maſter; the Time of their coming, he ſaid, was not yet fixt, nor do I hear of any Houſe that is yet taken up for thoſe Miniſters. He avow'd to me that this Confederacy, tho' it be one of the moſt powerful and beſt knit that ever was, is not unattended with that Face which is uſual to all Confederacies; that is, the one hath ſtill a jealous Eye over the

the other, and not one of them is without Views and Ends peculiar to himſelf; the Inſtance he gave was, in the Diſſatisfaction the reſt of the Allies would have, if the King of *Denmark* ſhould pretend to be put into the Poſſeſſion of *Carolſtadt* upon its Surrender, as ſome would have it believ'd he does; yet this Miniſter does the leſs believe it, becauſe there have been great Aſſurances given from the *Daniſh* Miniſters to the Elector of *Brandenburgh*, that their Maſter would not pretend to it.

He told me, they had News that the *Swedes* were giving over their Attempt upon *Walgaſt*, and had ſent for Horſes to draw off their Canon.

On *Saturday* there marcht moſt of the Horſe out of this Garriſon, to joyn with ſuch other Troops as ſhould be got together for the relieving the *Chateu de Hers*, a Gentleman's Houſe not far from *Haſſelt*, where the *Dutch* had put in about 60 Men to keep it; the *French* had propos'd to themſelves, and were marcht from *Maeſtricht* to take it; but a Party of *Dutch* being upon Forage, (about 400) and happening to have notice of this Deſign, put themſelves into the Caſtle before the *French* could reach it, and having ſuffer'd the *French* to paſs a *Baſſe* Court or two, they let fly at them 2 *Fauconneaux* and fell on them ſo warmly, that they kill'd between 25 and 30 Officers, and about 400 Men of the *French*, who left off the Deſign without further Diſpute.

I do perfectly ſubſcribe to the Judgment you are pleaſed to make, Sir, upon the Incident of Paſſports; and I do not know, whether I may offer it as my humble Conjecture, that it was firſt penetrated that the one Side would find Difficulties and Delays, before the other did put itſelf upon the preſent Stiffneſs; and ſuch a Penetration ſeems to me the more eaſy, in that I have not been able to obſerve any promiſing Symptom of Forwardneſs towards the making up of the Aſſembly; nor found any Man ſanguine enough, to hope for a Peace before the Campaign be over, ſince I came into this Country. Nor can I think, that the Duke of *Newburgh*, that is now raiſing of Troops, would have now enter'd into the War, having been ſo long a Martyr to a Neuter Condition, but that the Party that furniſhes towards his Levies, hath let him ſee, there are no Hopes for him to be better at his Eaſe by a ſudden Peace.

If the *French* Ambaſſadors ſhould be recall'd, I am in ſome Apprehenſion, that the Saddle Horſes ſent by my Lord *Duras* to M. *Colbert*, and as I am told, arrived here, and ſo the Hardes and the People, as I told you, Sir, in my laſt, come hither from *Charleville*, may be, if not lighted upon, yet lookt after and brought afreſh into Queſtion, in Order to make Prizes of the Horſes and Goods, and Priſoners of War of the Servants, for want of Paſſports from this State. I would moſt humbly beg to know his Majeſty's Pleaſure as to my Duty, in Caſe any ſuch Thing ſhould fall out. I am, with all Truth and Reſpect, *&c.*

L. Jenkins.

Nimeg. 29 *Jan. O. S.* 1675-6.

Right Honourable Sir,

THIS Morning bringing me no Letters out of *England*, I have little or nothing to add to my laſt, which was of *Wedneſday* the 26*th*, (a Duplicate whereof I humbly take leave to encloſe) ſave only the Account of what hath ſince paſs'd in the Matter of Viſit between the *Dutch* Ambaſſadors and me.

On

On *Thursday* last about 10 in the Morning, M. *Hulft* (Secretary as we take him to be of the Embassy) came to demand an Hour of me with much *Preface*, that his Masters (as he termed them) had been in a great Hurry hitherto, and were yet far from being able to put themselves into the Equipage they desir'd to be in, to give me the Visit; yet that they were desirous to do it with the soonest possible, unless I should order them to defer it till they could set up their Equipage, and that other Ministers should be upon the Place, and would do it, if I would agree to it, that very Afternoon; to this my Answer was, that I would submit the Time, and the other Circumstances, to their Excellencies: That I had no Pretence to expect their Visit in full Equipage, since I should not be able to return it so, for Want of my own, which was not yet come up; that it was my humble Opinion, the sooner those Matters of Ceremony were over, the sooner they and I should be at Liberty to enter into that Freedom of Intercourse each with the other, which I was sure, would be a Matter of particular Satisfaction to his Majesty, and might, I hoped, be so much the more seasonable in the present Conjuncture of Affairs, in Order to the forming of the Congress; a little before their setting out, they sent again two Gentlemen in their second Coach, to tell me they were ready to render themselves here, if it were not unseasonable; those Gentlemen being return'd to them, they were here in a Minute, and gave me both of them the Visit, which was above three Quarters of an Hour.

Their Equipage was thus: They had but two Coaches and but two Horses a Piece, the Coaches M. *Beverning* was pleased to say they had borrowed, he said the Horses too; but afterwards recall'd, saying, some Horses we have of our own; in the one Coach were themselves only, and in the other four Gentlemen; two whereof were known to be Secretaries, they had three Pages and nine Footmen.

Next Day, I desired Mr. *Chudleigh* to go and take an Hour of them, at the Hour (which was three) I sent two Gentlemen as they had done, to discover whether I should come seasonably, and went with two Coaches, the one borrowed, and the Horses; (those I expect out of *Friesland* being not yet come up) the other a new *Caléche* of my own, that I bought at the *Hague*, for Fear I should stay too long for the Coaches I expect out of *England*. My Company was Mr. *Chudleigh*, four Gentlemen very well accoutred, and one of my Secretaries, four Pages and ten Footmen; the Pages, Footmen, and Coachmen, having all good *Campaign* Coats of a Sort; and thus the first Visit was made and paid, in which, I hope, we lost no Ground.

Monsieur *Beverning* after his Complement in the Visit, fell upon the Rub we are now upon; saying, he hoped God and the World would purge his Masters from the Guilt of having contributed any Thing to this present Accroachment, as well as from having any Hand in giving this Negotiation the Interruption it met with at *Cologn*.

Then he fell upon the Business of Couriers that must go hence, not at set Times, so much as when Incident Matter do require it, and so upon the Duke of *Lorain*'s Concern, to the same Effect, as I have given you, Sir, an Account upon a former Conversation.

He told me he had News, not that the *French* Ambassadors were yet gone from *Charleville*, but that they had caused their Coaches that were put into Boats upon the *Meuse*, to be taken out again, in Order, as was fear'd, to their Return.

That the Pope's Minister desires to be in this Town, but insists to have some publick Place to exercise his Devotion in, which the Ambassadors

sadors believe this State will never grant. That the States found Fault with their Plenipotentiaries at *Munster*, for notifying their Arrival to the Nuncio there, among the other Publick Ministers; and gave Order that they should proceed no further, in case there was any Notice taken, as there was none, by the Nuncio. That M. *Beverning*, when he was at *Aix*, was moved by M. *Colbert*, to notify the Internuncio there of his Arrival, which, he said, he would adventure to do, if M. *Colbert* would first get a Promise from the Internuncio, that he would pay the Respects due to the Ministers of this State in Form: But M. *Colbert* let it die.

THE Passage at *Munster* is in *Leo ab Aitzema*, as I remember, for I have not my Books yet come, in his *Latin 4to.* among, or rather at the Close of the Instructions to those Plenipotentiaries.

M. *Beverning* seem'd to be concerned in the Narrowness of most of the Streets in this Town, where it will be impossible for Coaches to pass by each other in several Places; therefore he was of Opinion those Passages must be made up for some Hours in the Day; yet he confessed he did not see how that was practicable, in Regard of the Hindrance it would be to the Townsmen, and their Intercourse.

THEY found Fault with the Liberty the *Swedish* Mediators Secretaries did take, to communicate the Transactions of the Parties in that Congress; they hoped we here would take better Care for the Secrecy requisite; they spoke upon a Mention of the Nuncio there, and his Auditor *Partichelli*, who would be still endeavouring to penetrate into their Business, (you remember the Man, SIR) but in vain; they enjoyning all their People a strict Reservedness as to the Negotiation.

IN my first Visit to them, I did conform myself to what M. *Beverning* had done with me, that is, he, as soon as they had sat down, began with a kind of premeditated Complement upon his Majesty's great Zeal, my Winter Journey, and their Desires to make a Peace. My Complement was not in many Words; it was, 1. To take Notice of the Respect they had paid his Majesty, and of the Honour that came to my Share by their Visit. 2. To tell them how grateful I thought it would be to his Majesty, to hear (as I hoped he did by this Time) of their Excellencies having rendred themselves with so much Diligence upon this Place, and that they are the first of all Publick Ministers; which the World will, as well as his Majesty, take Notice of, as an Evidence in the States of their Regards to him, and of their Advances to form this Congress. 3. That his Majesty does use new Applications and new Efforts, upon the Difficulties newly risen upon the Matter of Passports; and, 4. To beg the Honour of their Commands, *&c.*

IN the Answer to this, M. *Beverning* did say expresly, that they had made this Visit by Order of their Masters.

THE rest of the Conversation was much upon the same Subject Matters with his former ones, only he shaped his Discourse upon the Affair of *Lorain*, that it did end in a kind of Appeal to me, upon what I had observed in the Proceedings of the last Duke in his Treaties with *France*, which put me upon the Necessity of excusing myself from delivering any Opinion in that Affair; it being far beyond my *Portée* to judge of such Questions; and this being (by what I happened to see into it in this new Incident) one of the most knotty that is like to come upon the *Tapis*; but that when the Assembly is form'd, and my Collegues here, we shall be very careful to value such Reasons as their Excellencies shall please to commit to us, I hope to their Contentment.

M. *Beverning*, when he hath had Occasion to mention his Majesty's Offices in this Function, hath still joyn'd, — *& le poids que sa Majesté donnera*

donnera par sa puissance à ces intercessions; using it as if the Stone were to be joined to the Gospel.

THEY told me of Letters that came from *Venice* and *Milan*, of *de Ruyter*'s Victory, but did not give the Particulars that this Day's Advices bring from all Parts of this Country.

I have discoursed the Business of this Post yesterday with the Ambassadors, they are, it seems, not pleased in their own Behalf, and will endeavour to remedy it; but the Course of the Courier cannot be changed, because the Lines from *Germany* Side, from *Holland*, and (which is most material to the Post-master) from *Amsterdam*, do center in this Town; the Remedy will be by setting out Extraordinaries: The Letter that I now write will unavoidably be 24 Hours before it comes to the *Brill*, and yet it is but 16 Hours easy Work for a Courier to pass hence to the *Hague*; inclosed goes a Scheme of our Post-Days here.

THE Burgrave (his Name is *Welderen*, Brother to a Lieutenant General of Horse, that died in the Expedition of 1672, against *Charleroy*, and who is the best Man here) hath been with me, to complain of the Menaces which the *French* make, to burn up all in the *Maes-walt*, unless they come in and compound their Contributions; the Billets have been served 3 or 4 Days ago, upon the Gentleman that is Baily of that Part of the *Maes-walt* which runs from *Grave* Side down towards Fort St. *André*, that from *Grave* to this Town is the Burgrave's Bailywick, but not yet summoned; and they came to me, being told the States have referr'd the assigning the neuter Country to his Majesty; and therefore they hope and pray, that his Majesty will take these poor People into his Protection, and obtain for them a Neutrality all over the *Maes-walt*, and not content himself with the 2 Leagues *à la ronde*, which is as much as nothing. M. *Van Haren* being upon this Subject with me, said, that if *Cleves* be made the Center, and a Neutrality granted on the one Side as far as Fort St. *André*, 'tis but an equal Length so to extend it on the other Side, as to take in *Meurs*. I am with all Truth and Respect, &c.

L. Jenkins.

Wednesday, Nimeguen 2 *Feb.* 1675-6.

Right Honourable SIR,

THE last I presumed to trouble you with, was of *Saturday* the 29*th* past, and I rather choose to enclose the Duplicate of it here, than to trouble you with Repetitions. This Morning brings me the Honour of yours of the 25*th* past, *O. S.* and therewith several Pieces, in order to let me into a better View of those Obstacles that are like to hinder the forming of our Congress this Spring. I shall not presume to offer any Thing of my own Thoughts, or rather of my Fears, in this Matter, which his Majesty hath been pleased so throughly to consider of, and concern himself in. I shall look upon it as my Part, to endeavour the Satisfaction of the Ambassadors, and all other Men here, how sincere and how zealous his Majesty hath been, as in the first undertaking of the Mediation, so in the whole Conduct of it to this present; and how far he was from being conscious to any Design that others might have in deck, in order to disappoint or retard the Negotiation here: But that which M. *Beverning* tells me this Morning, of the *French* Ambassadors not being gone back, but of their being come forward as far as *Sedan*, and of their having hired Lodgings there, (which gave

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Occaſion to the taking out of their Coaches, which were embarked upon the *Meuſe*) makes me hope that his Majeſty's Inſtances at *Paris* have had that Force and Succeſs with them, as to prevent their Proceeding there to that fatal Step of calling back theſe Ambaſſadors. However, I have not been wanting to let M. *Beverning* ſee, with what Care and Anxiouſneſs his Majeſty did concern himſelf, to prevent their being recall'd; and how, on the other Side, his Majeſty had order'd Mr. *Skelton* to be ſent after, that he might go on farther, whereſoever his Majeſty's Commands ſhould overtake him, till his Majeſty be ſatisfied, whether there be any ſecret Reſerve or not, reſolving to nip in the Bud thoſe Hopes and Endeavours that were ſo promiſing before this Incident ſhew'd itſelf.

On *Sunday* laſt, M. *Van Haren* came to take his Leave of me, being to go, as he ſaid, into *Friezland*, for a matter of 15 Days, upon Publick Buſineſs. It was, as he then intimated, to aſſiſt at the Aſſembly of the States there. He told me, he had obtained Leave to go, while he was yet at the *Hague*, which the Prince did not only accord him, but prayed him to be ſure to take the Journey, in Regard it would be for the Publick Service upon the Matter of the Paſſports; while we were diſcourſing of the Poſſibility and Means to adjuſt it, he told me there were the leſs Hopes, becauſe the *Spaniards* having no ſuch Mind to the Peace, would be ſure to lay hold of ſo plauſible a Ground, as the Defects in the Paſſports would be, to keep off from forming the Aſſembly.

He told me, he had ſeen the Emperor's Anſwer to his Majeſty's Letter by M. *Ducker*, and asked me, if I had ſeen yet the Anſwer which the States General had given to my Lord Ambaſſador, and to Mr. *Skelton*, whereby they excuſe themſelves for not complying with his Majeſty's Deſires in that Matter of Prince *William* of *Furſtemburgh*. This I humbly take Leave to note, having ſeen neither of thoſe Papers, that you may ſee, Sir, how uſeful, and indeed neceſſary, your Charity is to me, in tranſmitting to me from Time to Time, as you are pleaſed to do, all Papers and Documents relating to this Negotiation.

He told me, that the King of *Denmark* had at laſt yielded to the Paſſage of the *Swediſh* Plenipotentiaries hither through his Countries, and that upon the ſtrong Inſtances of this State; ſaying, that as, on the one Side, to have abſolutely denied all Paſſage to thoſe Miniſters, would have been *tant amount* as to have ſaid, *Denmark* will have neither a Peace nor a Treaty; ſo, on the other Side, that the King of *Denmark* having agreed to a Paſſage in general, may ſo order the —— of the *Swedes*, as the *French* did the Paſſage of theſe very Miniſters in 1673 towards *Cologn*; ſome Troops of *French* Horſe having convoy'd and led them, not by the Way theſe Ambaſſadors had propoſed to themſelves, but another Way, ſuch as the Commander, by Order from M. *de Montal*, thought fit to bring them.

Yesterday the Senior Miniſter and chief Preacher of this Town told me, that on *Saturday* laſt, he and the other Miniſters had been in a Body, upon a formal Errand with the *Dutch* Ambaſſadors; it was to offer them their Services in the Way of their Function, if they ſhould think fit to order them at any ſet Times, that ſhould be particularly, and publickly devoted to beg a Bleſſing upon this Congreſs. It was withal to beg their Excellencies, not to ſuffer the Stage-players (whom they had underſtood to be already in Town) to ſet up and act their Plays here, deſiring the Ambaſſadors to procure Orders from the States General (if they thought it requiſite) to that Effect. To this the Anſwer of the Ambaſſadors was, as this Divine told me, that for Matter of Devo-

tion, if to the first *Wednesday* in every Month, *N. S.* which is set aside for a solemn Day of Humiliation by the States General throughout their Dominions, any other solemn Exercises should be thought fit to be added, it might be done the usual Way in such Cases; but as to the Matter of the Players, and the indulging or restraining of them, that the States had left wholly to the ordering of the King our Master. This Account I confess was surprizing to me; I made no other Answer, but that I was alone yet upon the Place, and could not meddle in any Thing of that Nature without the joint Advice of my Collegues, one of them at least; and that all of us together should not presume to interpose in a Thing that belonged wholly to the Magistrates, until we had first learned how far the States had committed this Matter to his Majesty, as also what his Majesty's Pleasure will be for our Direction. I would humbly beg, that we might not be unprovided of an Answer, that shall contain his Majesty's Pleasure, in case we be called upon to say or do any Thing in this Matter: I must confess, as I do not see what Colour the States had to design such a Thing to the Direction of his Majesty, so we shall be loaded with Envy and Clamour among these precise People, (who, for ought I perceive, count Plays to be Things in themselves unlawful) if we be any wise instrumental to procure Countenance or Toleration to the Players. I had an Occasion given me to wait upon M. *Beverning* this Morning; it was the D. *de Vitry*'s Comptroller of his House came to me, to ask my Pass for some Coach-Horses that were come out of *Holland* this side *Utrecht*, but rested in a Village in that Province in their Way hither; he was, he said, to go and fetch them thence. My Answer was, that my Power did not reach to grant any such Passes: You know, Sir, I have an express *Apostil* to that Effect. However, I offer'd him my Offices with M. *Beverning*, who did readily charge himself to write this Night to the States General for their Pass to these Horses, and to have it put into the Hands of Sir *William Temple*; he was very frank in the Thing; but withal told me, the Prince was very heartily angry with the Cornet of Horse I told you of, Sir, that let pass M. *de Vitry*'s Baggage at *Mook*, hard by here, without seizing it for want of Passports from this State. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeguen 5th Feb. O. S. 1675-6.

Right Honourable Sir,

THE Honour of yours of the 28*th* past, comes to my Hands this Morning, and with it the Copies of several Passports, and of your Dispatches to my Lord Ambassador, and to Mr. *Skelton*; for the Favour of which you have my most humble Acknowledgments.

Since my last, which was of the 2*d*, a Duplicate whereof I take Leave to inclose, there hath nothing occurr'd here that is worth your Notice. There are those that cheapen a House here for M. *Megercroon*, but the Bargain is not yet made; and all those that are, are to take their Effects with an if ——.

I have waited on M. *Beverning* since my last, but had nothing from him relating to the Negotiation, saving that he bemoans his own and his Collegue's Misfortune, in that they are confined to this Place without any Hopes of Business to come on; and that their Masters will not (for Shame) suffer them to return to their Homes, as long as it shall

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be his Majesty Pleasure I shall remain here: He told me, he had had Letters that Morning from the Prince at *Soesdycke*, and that they have the News of *de Ruyter's* Victory come to them so many Ways, that they no longer doubt of it, tho' they have nothing yet from himself, which yet is, it seems, this Morning come to Hand.

It is agreed from several Hands, that *Verschore*, a Rear Admiral, was kill'd in this Engagement; his Daughter and Relations are in this Town, and all in Tears.

Mr. *Meredith* writes this Post to M. *Chudleigh*, that upon notice from M. *Van Beuninghen*, that the striking of some Ships of this State to the Yacht that brought me over, was like to be taken for a Precedent in *England*; the States have order'd, that the Admiralty of *Rotterdam* should take Informations how that Matter had passed. I cannot easily think this will beget any Speech with me upon the Matter; however, I humbly beg, Sir, if you think fit, that I may have the Honour to be armed with the Knowledge of his Majesty's Pleasure, what to say, if any Notice should be taken to me of that Rencounter; and if I did not in a Manner despond of the Congress, 'till it please God to bless his Majesty's Endeavours, in some other Method, I would humbly beg your Reflexions, Sir, upon the Clause about Couriers, as the States now have it couch'd in their Passes which they offer to *France*.

The Passport supposes two Cases; the first, that Couriers are to pass from the Master to the Minister; the other is, from the Minister here to the Master: In the first Case, I humbly ask, shall the Minister's own Passports serve the Courier's Turn? It is not only reasonable, but necessary that it should; I ask therefore, whether the same should not be Express, since the Words *toutes les fois qu'ils se trouveront Munis d'un Passport particulier du Plenipotentiaire qui les Aura depêché* (so I think it should be) do absolutely and wholly restrain the Capacity of being free, not to a Man's being a Courier, but to his having a Passport from a Plenipotentiary.

These Gazetts are misinformed, in that they say the Domesticks of the *French* Ambassadors had set on Work again the People they had once taken off, for they are still at a Stand, nor do they expect their Masters, as hath been given out. This I have from M. *de Vitry's* Comptroller, as I am Writing, who is not yet out of Pain about his Master's Horses that are still at *Charleville*.

Sir, if there be any likelihood of my being to be recall'd Home suddenly, (as private Letters to some here do say, tho' in mine, I have not a Word to that Effect) I humbly take leave to throw my self upon your Favour, as to the Government of *P. Williams*, if he be not set out. Your Charity upon such an Occasion will be of Moment to me, who am, *&c.*

L. Jenkins.

Ash-Wednesday, *Nimeguen 9 Feb. O. S.* 1675-6.

Right Honourable Sir,

THIS Morning makes me happy with two of yours, that of the *1st*, and another of the *4th*, with several Duplicates and Papers in each Pacquet, which still add very much to the Heap of your Favours and Charities to me.

I have

I have not any Thing scarce to add to my last, which was of the 5*th*, and goes here inclosed. I have since been twice in Conversation with M. *Beverning*: He is still upon the Chapter of having nothing to do, and now nothing to hope for in this Place; and the last Time we spake together, he was troubled, as he said, to consider there was no likelihood I should be recalled Home yet in Six Weeks, and that in all that Time, these Ambassadors (one of them at least) must not stir hence, as M. *Fagel* hath already resolved them.

He told me, that the Deputies of the Confederates that met in *Westphalia*, had agreed all Things before they parted to Satisfaction: That the Duke of *Zell* offers this State what Troops they please to make Use of; and to employ them as they shall direct, without Reserve. That some of the Confederates are not without a Jealousie over the *Dane*, which this State endeavours to remove, by disposing all Parties to be content that *Carlesburgh*, and so *Stoad* if it be taken, be demolished. That the present Arming of the Duke of *Newburgh*, is not without foreign Money, which he is sure he hath not from any of the Confederates.

On *Sunday* here pass'd by this Town, not without calling upon me, the two Daughters of Madam *la Grande*; their Pretence was, to go to the *Hague* to a Sister of theirs, who waits upon Madam *de Lyra*; but they could not conceal their Design of seeing *England* before they return'd. In good Truth, Sir, I used all the Arguments, (especially that of the Retrenchments now going on) and all the Perswasions I could, to divert them from going towards the *Hague*, they did and would go; and I rather believe they will pass over into *England*, because the present Dearth of Things at *Cologn*, and their Poverty at their own Home, seems in a Manner to drive them away thence; and so Monsieur *Hoghius* writes me Word.

On *Monday*, the Intendant *de la Maison, & des Affairs de M. Colbert*, brought me a Letter from Messieurs *Colbert* and *D'Avaux*, writ the 9*th* of *Feb. O. S.* at *Charleville*. I take leave to enclose a Copy of it, whereby you will see, Sir, they are willing to conform to an Entry here without Ceremony: They desire Passports for their Domesticks here, which will be no difficult Matter, I hope, to procure; but that it should be expressed, they shall have Liberty to stay here four Months, will not be easily accorded: for so this Intendant desires in the Memoir of Names he gives me: This I take leave to remark, upon Supposal this Article proceeds from them, and may be an Indication, that their Orders to return to *Paris* are not so peremptory as we are made to believe here.

M. *Beverning* was so generous, as upon my Entreaty the other Day, to procure the States Pass for M. *de Vitry*'s Comptroller and his Horses, he propos'd it should come first to the Hands of Sir *William Temple*, but I find it this Morning come to his own; and he hath told Messieurs *Colbert* and *D'Avaux*'s Domesticks shall be safe with their Horses.

I made their Complement, Sir, to M. *Beverning* this Morning, and he returns it very heartily. I beg leave to return here my most humble and faithful Service to Mr. Chancellor of the Dutchy, and to assure you of my being with all Truth and Respect, *&c.*

L. Jenkins.

Satur-

Saturday, Nimeg. 12 *Feb. O.S.* 1675-6.

Right Honourable SIR,

THE last I gave you the Trouble of, was of *Wednesday* the *9th*, a Duplicate whereof I take leave herewith to enclose. This Morning brings me nothing out of *England*, nor indeed out of the *Hague*, but a Letter from Sir *Gabriel Sylvius*, which speaks the little or rather no Hopes there is of having an Assembly here this Spring.

YESTERDAY M. *le Baron de Schwerin* (Father to the Envoy) did me the Honour to come over from *Cleves*, and to take such a Dinner as I happen'd to have, but return'd to his Charge (for so he call'd the young Princes there) in the Evening: He did not begin with any Complement from his Master, but having discoursed something of his Son and Daughter in Law, and of the Civilities they have met with at Court, as also the Misfortune that all Appearances of a Congress here this Spring are now vanquishing; he told me at last, the Elector his Master had given him in Charge to take some Time to come over hither, to congratulate with me upon the great and good Work his Majesty had taken in Hand, for his own immortal Glory, as well as for the saving of the Christian World from destroying it self.

IN the next Place, he had in Command to learn of me, (if I would be so free with him) what Judgment is Majesty his of, in Reference to the present Differences, and the Rupture between his Master and *Sweden*; that is, as he explain'd himself, what Means and Expedients his Majesty had thought of, as most likely to be agreed to by the Parties, in Order to the composing of all, when the Treaty between them shall be set on Foot; desiring withal, that his Majesty would be pleas'd to take the Interest of the Elector into his special Protection, and to recommend it with Favour to his Ministers in the Negotiation.

MY Answer was, that I was so much the more assured, that the Interests of his Electoral Highness would be in special Recommendation with his Majesty, in that I had had the Honour to observe, and to be a Witness to those Injunctions he had laid on his Ministers at *Cologn*, to endeavour what should lie in their Power for the Service and Satisfaction of his Electoral Highness in his Concerns, if that Assembly had come to any Perfection. That I did not know in the least, what Judgment his Majesty may have formed to himself upon this particular Case, nor what Means and Expedients he looks on as most likely to be successful towards the Peace of that Part of *Germany*; his Majesty having not thought fit to declare himself to me upon that, or the particular Case of any of the Parties in War; the Province assign'd me being no other than to render my self with all possible Diligence upon this Place, and to co-operate with my Collegues in every Thing I should be able, towards the first forming of this Assembly; his Majesty's Thoughts at my coming away being so taken up with the Care and Endeavour of bringing the Parties to meet together by their Ministers, that he thought his Directions upon particular Cases in no wise requisite for his Ministers here, till he should hear from them, that there was an Assembly formed, and that the Parties were enter'd *en matiere*, upon their several Pretensions; however, that I had Reason to believe, that his Electoral Highness had no other than all Satisfaction possible in his Majesty's Proceedings since the Rupture; my self having had Occasion to observe the Contentment which the Envoy had had in some Incidents, upon which he had made

his

his Addresses to his Majesty. This he was pleased to avow to be very true, and did very much extol his Majesty's Equity and Friendship toward his Master in the present Conjuncture. From this he proceeded to the Merits of his Master's Cause, insisting especially upon the last Treaty, whereby the King of *Sweden* and the Elector were to continue in a firm Peace with each other, tho' they should happen to take Sides with contrary Parties. He enlarged likewise upon the late Successes wherewith God, he said, had wonderfully blessed his Master, and continued still to prosper him; a Brother of this Baron's having lately relieved *Wolgast*, and driven the *Swedes* once again out of *Wollin* and *Usedom*.

He told me, the *Swedes* began to have some Disorder in their Affairs at Home; for that not only the greater Part of the States of the Kingdom, but also some of the Senators themselves, (and these of the greatest) wish'd that *Sweden* were fairly rid of what it holds in *Germany*; the maintaining of those Places having been a Burthen to the Crown, a dispeopling to their Country, and bringing no Advantage at all to the Publick, but enriching a few General Officers of the Army; yet this he avow'd to be a lamentable Reasoning; that he had a Letter lately, that the Czar of *Muscovy* intends for certain to fall upon the *Swedes* on the *Livonia* Side: That the House of *Lunenburgh* will be in the Field with a very considerable Force this Summer: That the Duke of *Hanover* can be got to do no more, than to furnish out 4000 Men to the Emperor, on Condition they be not engaged against *France*; implying, that they may be against *Sweden*. That the Baron *de Goes* had writ to him, with whom he hath great Familiarity, (that Baron having been 10 Years together in their Court) that he and his Fellow Plenipotentiaries were ready to set forward, as soon as they should hear the *French* Ministers were come upon the Place.

This, as far as I am able to recollect myself, was what fell from the Baron upon any Business, only I must not forget he told me, his Letters from *London* advised, that his Majesty had been pleased to give out his express Orders I should be called from this Place.

M. *Beverning* came in as we were risen from the Table, but the Baron stayed not. He favours me with a kind Message, just as I am writing, that the Electoral Prince will do me the Honour to dine with me on *Monday*.

The *French* are once more said to be removed to *Sedan*, but we cannot know the Truth of this till to Morrow.

They write to me from *Cologn* in *hæc verba*: — *Cum occludere vellem hasce Literas* (of the 19th) *accepi nonnullas ex Superiori Germaniâ ab homine fide dignissimo, in toto Circulo Suevico & Franconico visum fuisse ante 5. dies ingentem Globum igneum, cui insidebat Draco longus, seu Hydra longa; & cum ferè supra quadrantem horæ videndum se prebuisset, cum fulgure & tonitru ingenti ferè disparuit, mutato Dracone in longissimum Serpentem album, qui denique in tali formâ disparuit.* My Tale-master is our honest Landlord M. *Hogbius*. I am with all Truth and Respect, &c.

L. Jenkins.

Wednesday.

Wednesday, Nimeg. 16th Feb. O. S. 1675-6.

Right Honourable SIR,

I Have this Morning the Honour of yours of the 8*th*, together with the Copies of ſeveral Letters and Papers, whereby you are pleaſed to continue to me the Favour and the Advantage of ſtanding in the ſame Light with Sir *William Temple* and Mr. *Skelton*, as far as relates to the Buſineſs of this Place; for which you have my humbleſt and hear−tieſt Acknowledgments. I have nothing in a Manner to add to my laſt, which was of *Saturday* the 12*th* Inſtant, only I take Leave to incloſe the Duplicate. I am in Hopes the States General will make no Diffi−culty to conform to his Majeſty's Judgment, in ſuffering the Domeſticks of the *French* Ambaſſadors to continue here in Surety; for M. *Beverning*, when I preſs'd him to it, yielded the Thing to be extreamly reaſonable; and the Advantage that might be taken upon that Pretence to be mean, and beneath this State: But Sir *William Temple* finds the Penſioner to be for ſome Reſtrictions upon the Liberty theſe Men may take; he would have them limited from coming any further than *Utrecht* towards *Hol−land*; which made me, having obſerved in the *Harlem* Print this Morn−ing, that ſome of theſe Men were at *Amſterdam* taking their Divertiſe−ments, ſend for M. *Colbert*'s Intendant, and caution him a little againſt ſuch needleſs Excurſions, till they ſhould underſtand what Liberty the States ſhould indulge them.

I have not a Word from Mr. *Skelton* ſince he paſs'd by this Place. M. *Breget* writes me Word, I am to expect Mr. *Ducker* here very ſuddenly; and M. *de Strasburgh* ſends me now a Pacquet for him, and deſires he may continue writing to him under my Cover. I know not, SIR, whe−ther you may not think fit to give me a Line of Inſtruction in Reference to that Perſon; for I cannot well imagine what Buſineſs he may have here, nor yet what Character it is he pretends to have from his Majeſty. I begin to apprehend, upon comparing what M. *de Strasburgh* and M. *Breget* write to me ſeverally, (the Letter of the firſt you have already, and now I ſend you that of the other) that M. *de Strasburgh* (you know, SIR, the Humour of that Prince) is meditating ſomething whereby to commend to the World his Willingneſs to ſacrifice the Point of his Bro−ther's Liberty, to the bringing about of the Congreſs; but that is not a Nail that will drive; and it appears by the *Latin* Print from *Vienna*, that M. *de Strasburgh*'s Induſtry in ſpreading abroad the *French* Memo−rial, gave as much Offence in a Manner, as the Subject Matter did itſelf. I ſhould humbly conceive, that his own Friends and Kindred at *Vienna* might procure ſome reaſonable Enlargement for Prince *William*, upon the ſole Conſideration of his ill Health at preſent; for ſince it hath been thought fit to ſuſpend the making of his Proceſs, it will not be ſo much Clemency as Juſtice, to abate of the Rigours of his Priſon.

M. *Van Haren* is expected to return hither this Night from *Friezland*, and M. *Beverning* hath his Warrant to take a Turn into *Holland*, which he will do the Beginning of the next Week.

I find he partakes in the common Mortification here, that the *French* did after the Fight make a ſhift to throw freſh Succours into *Meſſina*: He ſays, the *Spaniards* did not perform Covenants with this State, in ſupplying M. *de Ruyter* with Ammunition, as they had undertaken to do; he ſpake with Reſentment, that the *Spaniards* did not do well with this State; and that the *Spaniards* not performing their Parts, this

State

State could not in Reaſon be expected to ſtick ſtill to them at ſuch a vaſt Rate of Expence. The Manner of his expreſſing himſelf was, in my Apprehenſion, ſuch, as if he had thought they here had done enough for the *Spaniards*, and that they might, without any Diſhonour, take their Leaves of them, and get out of the War as well and as ſoon as they could. Then he enlarged much upon the preſent Impotency of that Crown, and upon the wrong Maxims of their Miniſters, even of *C. de Penaranda* himſelf, in that they believe *Holland* and *England* to have a greater Intereſt than *Spain* hath, that the *Spaniſh Netherlands* be not overrun by the *French*.

The Cœur Prince ſent to me to excuſe himſelf from coming on *Monday*, the States that are now aſſembled at *Cleves* being not broken up; and hath been pleaſed to appoint to Morrow to do me the Honour of dining here. I cannot ſufficiently acknowledge the Charity of your Protection to me in my little Affairs on that Side; but I am very ſenſible of it, and am with all Truth and Reſpect, *&c.*

L. Jenkins.

Saturday, Nimeg. 19*th Feb. O. S.* 1675-6.

Right Honourable Sir,

I Have the Honour of yours of the 11*th* Current, with ſeveral Duplicates that accompany it to acknowledge, but I have nothing but the Duplicate of my laſt, which was of the 16*th*, to offer by way of Exchange: Our very Gentlemen and *Burgeois* being now out of Town, I mean the moſt conſiderable of them, at a General Aſſembly held, as they do once a Year, at *Zutphen*, for this whole Province.

The Cœur Prince of *Brandenburgh* did me the great Honour on *Thurſday*, to come over hither from *Cleves*, and to take a Dinner. He came accompanied with the Baron *de Schwerin* and Lieutenant General *Spaen*, and three Gentlemen more that he allowed to ſit at Table with him.

He is a Prince of about 19 Years of Age, of a very ſweet Countenance and Diſpoſition, but has ſome little Defect in the Straitneſs of his Body; he is of good and quick Intellectuals, which did appear in his arguing with the Lieutenant General upon the Proceedings of *Sweden* with the Elector, and in the Reſentment too he expreſs'd againſt that Nation. He ſpake with very great Veneration of his Majeſty, and was pleaſed to let me know, of the Hopes he hath that his Majeſty will do him the Honour to receive him into the Order of the Garter.

I ſent a Gentleman yeſterday to complement him for the great Honour he had done me, and another to do my Reſpects to Prince *Louis*, his younger Brother of about 10 Years old, who, it ſeems, would fain have come along with the Cœur Prince. They replyed upon me by a Gentleman this Morning. M. *de Schwerin*, repeated in the Preſence of the Cœur Prince, what he had ſpoke to me in his firſt Viſit, of the Elector's relying upon his Majeſty to protect him in thoſe Concerns that ſhall come in Debate in the Treaty.

They ſay at the *Dutch* Ambaſſadors, (where I was this Morning, to bid M. *Van Haren* welcome Home) that Mr. *Skelton* hath already his Orders diſpatch'd towards him to return; that that I know of Mr. *Skelton* is no more, but that here is a Letter come from Mr. *Petit* to one in my Family, it was from *Nurembergh* the [illegible]*th Feb.* and ſaid Mr. *Skelton* was to paſs on next Day for *Ratisbone*, there to ſtay for his Majeſty's further

further Orders. As for my being recall'd, which every body here takes for granted, I have that perfect Submission to his Majesty's good Pleasure, that I dare not form to myself a Wish, or a Thought, that varies one Way or the other from his Majesty's good Will and Pleasure; only I do humbly beg, that when you find, SIR, that his Majesty thinks fit to call me back, this Petition of mine may be laid at his Feet, that none of his Majesty's Yachts or Ships may be sent within these Lands to fetch me off, but that I may be directed to shift for myself some Way or other; for I am perswaded, that having had two Rencountres with these People about striking, they will watch to repair themselves upon me this Time. Their Sense I do not take upon me to know, as to the Matter of striking upon *leurs Costes*, but herewith comes a pestilent Book, that I cannot but in Duty send your Honour, submitting to you wholly the Use that is to be made, as well as the Notice that is to be taken of it; it hath a Touch or two upon the Matter of the Flag; it pretends to be a History, but is a Libel, where his Majesty is treated with barbarous, and more than hostile Insolencies. I had a Copy of it first from *Amsterdam*, and I find it is already come to the Booksellers here; and I beg I might know, whether I am to make any Complaint to the Government of this Place upon it, and if so, in what Manner. He that writes the *Amsterdam* Gazette in the *French* Tongue, is suppos'd to be the Author; but he is a kind of a *Rosi-Crucian* that the *Zwolls* do employ, but he appears not in their House as I can hear of. M. *Beverning* goes for the *Hague* on *Monday*; 'tis, he says, but for 8 Days. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeg. 23 *Feb. O. S.* 1675-6.

Right Honourable SIR,

THIS Morning brings me the Honour of two of yours (one of the 15*th* and another of the 18*th*) together, for which, as also for the Duplicates in each, you have the humblest and heartiest Thanks.

SINCE my last, which was of the 19*th* Current, the Duplicate whereof I take Leave to inclose, the *Ecuyer* of M. *d'Avaux* addres'd himself to me in Form of a Complaint, as it were, that M. the C. *de Solm*, Governour of this City, had on *Sunday* Night promis'd him a Passport for 2 Grooms to come hither from *Maestricht*, but excused himself on *Monday* Morning, as he was going for the *Hague*, in that he could not then grant it, having found it necessary, upon Conference he had had with the *Dutch* Ambassadors, to acquaint the Prince before he granted any such Passports.

I excused myself from being able to serve him, otherwise than by my good Offices at the *Hague*, in recommending his Affair (as also that of a Passport for himself, to go into *Friezland* to buy Horses for M. *d'Avaux*, as he said he had Orders) to the Favour of my Lord Ambassador there. This gave me Occasion to represent to him by Word of Mouth, as I did yesterday by Letter to the *French* Ambassadors, (who were the $\frac{14}{24}$*th Feb.* at *Charleville*) how that whole Affair relating to Passports for their Domesticks now stands at the *Hague*.

M. *de Solm* gave me the Favour of a Visit, as he pass'd through this Town from *Germany*, where he had been making his Recruits; he is Colonel of the Prince's Regiment of Guards, a Person of about forty Years of Age, of very good Sense. He complain'd much of his Coun-

try's being ruin'd by the quartering of the *Imperialists*, and their intolerable Exactions upon his Subjects.

M. *Beverning* went for the *Hague* on *Monday*, promising to be back again here about 2 Days hence. M. *Van Haren*, in a Visit he was pleased to give me yesterday, discover'd methought much Confidence, that this Conference will hold, notwithstanding the present Obstacles, but seems to ground it most upon what M. *Van Beuninghen* writes to him from that Side.

He does not expect much, he says, from the Congress now at *Marchienne au Pont*, about the Neutrality of *Liege*. M. *Dyckvelt* is gone thither from this State.

He and all this Place are troubled, that the *French* do press for Contribution out of the *Maes-Waal* in our Neighbourhood, there being no Place in the United Provinces that now pays any; for they do not reckon the *Meyery* of *Boldue*, or any Part of their *Pais de Conquete*, to be within the *Seven Provinces*, because they do not depute to the States. 'Tis prodigious what he told me of Contributions, that the sole Garrison of *Maestricht* raises no less than 2500000 Florins *per Ann.* from the Countries within its Reach.

When the Difficulties about the Passports are removed, the *French* Ambassadors will be quickly here; and then the *Spaniards* will not stay, I suppose, any long Time behind. This brings me, Sir, to crave Leave that I may mind your Honour, of a Passage in your Letter to Sir *William Temple*, the 28*th* of *December*, wherein, upon the Question of the first Visits, it appears, that his Majesty had taken Order, that M. *de Ruvigny* should be spoken to, to get the *French* Ambassadors instructed to give it us here when they come: I suppose that is settled long since; and tho' it should not be, yet his Majesty's Orders to us are clear and positive. My humble Thoughts and Wishes are, that some such Course may have been taken in the *Imperial*, *Spanish*, and *Danish* Courts; and that the Pretence of those Ministers, since that the Point is new, and that they are not instructed, may not, when the Assembly is met, put our Negotiation to a stand; for if any of these Parties should refuse to do it, after the *Dutch* and *French* too shall have given it, I know not how his Majesty will be able to depart from expecting the same from those that stand off; yet 'tis probable there will be some so touchy upon the Place, as to lay hold upon this Pretence, to keep off from entering into Business.

If the Thing come (which I wish with all my Heart may not) to be debated here, I know not how it will be done without a kind of new Mediation; for I take it a Matter for granted, that those who will refuse the Respect, will close with no Expedient, when we come to support our Pretensions, and alledge the Precedent at *Cologn*: The Answer will probably be, that that Precedent cannot establish the Matter by way of Rule, since it was a Thing concerted by those of the one Side only, and never followed or consented to by those of the other. This Deference to a Mediator, seems to me (under Correction) to have the further Objection against the intrinsic Value of it, that it is purely and barely relative to such a Function, as all Princes and Puissances are indifferently and equally capable of; and the Office is no sooner laid down, but the Honour vanishes, and would be of no Manner of Moment in any Controversy about Precedency. Besides, this Office as it is now ordered all the World over, hath not its first Rise from any Submission, or even Request of the Parties in War, but from the Friendship and Charity of the Mediator; so that he is less at Liberty to lay

Claim

Claim to, or to contend for any Deference or extraordinary Respect to be paid to himself, than he would be, if some Law, or the Consent of the Parties, had vested him with any arbitrary or decisive Power; and when it will fall out naturally enough (I know not how it will prove in his Majesty's Case) to be part of the Mediators Business to perswade those in War to admit of Temperaments, and even to depart from their Rights, tho' otherwise unquestionable, for the Sake of a Peace. I do not doubt in the least, but that his Majesty hath already, of his Royal Goodness and great Foresight, sufficiently provided against all little Incidents and Objections of this kind, upon Occasion of the first Visit. I am with all Truth and Respect, *&c.*

L. Jenkins.

Saturday, Nimeguen 26th Feb. 1675-6.

Right Honourable Sir,

THE last that I took Leave to trouble you withal was of the 23*d*, the Duplicate whereof goes herewith inclosed: In it I did acknowledge the Honour of 2 of yours, of the 15*th* and 18*th*, which I do now repeat, having none out of *England* by this Morning's Ordinary.

I cannot forbear to express the Veneration and Joy I have, to observe that his Majesty, out of his deep Foresight and Wisdom, thinks fit not to take any of the Points in Difference to his own Arbitration, nor yet to interpose (his present Figure consider'd) for his Highness the Prince Elector *Palatine*, in the Accommodation he would be at with *France*, further than the rest of the Confederates shall know and allow of.

We see in several Instances, how nice a Matter the one and the other is, and how almost inseparable from Dissatisfaction and Resentment: The very proposing a Cessation of Arms, as was done by the Mediators at *Cologn*, at a Time disadvantageous to the *Dutch*, is thought, we see, of Weight enough to enter into that Declaration of War these States put out against *Sweden* in *June* last; and those Offices are made a Matter of Charge against them, whereby that King, being Mediator, did help the Elector of *Brandenburgh* to make his Peace with *France*; nor is it forgotten, that they shew'd themselves no Friends to that separate Accommodation we were upon with the *Dutch*. Tho' I heed not much what is set down in the *Latin* Gazette at *Cologn*, yet the Paragraph from *Ratisbone* this Week, since the Name of the *Imperial* Commissioner is set to it, makes me think, the Offer of his Majesty's Mediation to that Assembly (since the Body of the Empire, which it represents, is, by the Declarations made there against the *French* and the *Swedes*, made Party to the War) may be not improperly made by Mr. *Skelton*, before he leave that Place, in case he proceed in his Journey to *Vienna*.

The Talk of this Town is, that the *Spaniards* have order'd one Months Rent to be forthwith advanced for the Houses they have had retain'd for them here some Months ago, and thereby to continue their Contracts on Foot.

The *French* do give out, that their Masters (as far as they can conjecture by their Orders hither) are more like to go back again than to come forwards; yet they press to have Passports obtain'd for them to go to *Amsterdam* and *Friezland* to buy Horses. I am with all Truth and Respect, *&c.*

L. Jenkins.

Wednesday, Nimeg. 1 *March, O.S.* 1675-6.

Right Honourable SIR,

THIS Morning brings me the Honour of yours of the 22*d* past, together with several Copies, which I can never sufficiently acknowledge, for that I am thereby let in to stand in the same Light with those that are abroad upon this Service.

I cannot but make it my moan, that tho' you have been pleas'd to favour me with your Letters constantly twice a Week, (without once omitting, since I came upon this Place) yet it most commonly so falls out, that I have them not come to Hand till the 9*th* Day from their Date, having had the Luck but three Times since my coming hither, to receive them the 5*th* Day from their Date; which I take leave now to mention, that if it please GOD we come to enter upon Business, some better Provision for Dispatch may be made, as far as Wind and Weather will permit.

THE Expedient which hath come into his Majesty's Thoughts of granting the Passports himself, appears to me at first View so very fair and practicable, that the Parties methinks should have nothing to object to it; but forthwith to furnish to his Majesty such Power in good Form, for that must be first, as may found his Majesty in their Right and common Consent. But his Majesty hath, I doubt not, e're this, in his Royal Wisdom, considered whether this Expedient (if it should be acquiesc'd in by the Parties, as he proposes it) will be sufficient to remove the Difficulty, and to bring the Most Christian King and the Duke of *Lorain* to treat upon the main Question between them. Therefore I hope his Majesty will, before he enter upon the Execution of this Expedient, find a Way to satisfy himself what Kind of *Plenipouvoir* the *French* will grant to their Ministers here, and whether the Duke of *Lorain* will treat with them upon such a *Plenipouvoir*; or at leastwise, whether both Parties will acquiesce in such a Declaration from his Majesty, as was given by the Mediators between the *French* and *Spaniards* at *Munster*, otherwise we shall probably have the same Knot again to untie, upon the Communication of the *Plenipouvoirs*; for as those *Plenipouvoirs* must come from the Parties themselves, and cannot be supply'd by any Act of his Majesties, so each Party will, unless satisfied beforehand, have an additional Pretence to their present Non-Compliance, from the very Use that hath been made of this Expedient. Another Thing is, that if all the Surety the *Lorain* Ministers shall have here, and in their Way hither, (I cannot think the Case needs to be extended to any other of the Ministers, because they may have their Passports out of *France*) must be owing to, and in Virtue of his Majesty's safe Conduct to them; the Passports for their Couriers will come to be ask'd of his Majesty once for all, or of his Ministers here, as often as any Couriers are sent hence to that Duke; and then, if there happen any Violation in one or the other Case, I cannot, I must confess, see how his Majesty can avoid to be interessed directly and immediately in the Violation, and in the Point of Honour.

BUT, SIR, I most humbly beg Pardon, that I have presumed thus to lay open my Fears; I do it, not only because that those that shall prove to have less Mind to a Peace, would be glad to see it embarrass'd any other where than at their Door; but also that I am infinitely convinced of the Reasonableness of that Rule, which his Majesty hath

been

been pleased to set to himself, of Offering, as sparingly as he can, any Thing of his own Arbitrement or Authority, to bring the Parties nearer together.

MONSIEUR *Beverning* is not yet return'd, his Garden has borrowed some few Days of the Publick this very fair Weather.

THE Prince is expected generally in this City, in his Way to, or at his Return from *Schenken-Schans*; but M. *Van Haren* was of Opinion this Morning, he would come no nearer it than *Soesdyke*; and if he did, it would be by the Way of *Arneheim*, not this Way; but he said, it was probable M. *Fagel* would pass thither, it seems, 'tis to take Possession of that Fort, tho' the Garrison in it hitherto be the Elector's. M. *Van Haren* was saying, it would be extreamly convenient for the States, but was of no Manner of Use to the Elector.

HE confirms to me what Sir *J. Paul* writes, that the *Danes* will not suffer the Plenipotentiaries of the *Swedes* to pass through their Country: They offer them safe Conduct by Sea, and no other Way. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeg. 4 *March, O. S.* 1675-6.

Right Honourable SIR,

MR. *Benson* lets me see, by the Favour of his of the 25*th* past, and by the several Papers enclos'd in it; that you are pleased to take all Care possible, that nothing do interrupt the Continuance of those Communications you did think would be useful for me here; which I am extream sensible of, tho' I am to seek for Words whereby to express my Acknowledgment.

SINCE my last, which was of the first, a Duplicate whereof I take leave to enclose, here passed the *Raedt* Pensioner through the Town; he landed on *Thursday* Morning from *Arneheim* about eight a Clock, but straightway took Waggon for *Schenken-Schans*, not speaking with or sending for M. *Van Haren*, nor yet calling at his Brother's House, who is Burgomaster Regent, and Postmaster here, then being indeed out of Town, being one of the Deputies now at the Land *acht* held for this Province at *Zutphen*.

HAVING understood that the Prince would be probably at that Fast yesterday Morning, I desired Mr. *Chudleigh* to wait upon his Highness, if he came thither, in my Name, and in his Complement to make my humble Offer to wait upon his Highness, if it should stand with his good Pleasure, to kiss his Hands, and if I might discover where I might be least a Trouble to his Highness in his Passage back again. This Address he received very graciously, but dispens'd with my waiting on him in Regard of his Post haste, as he said, to return; neither his Highness, who was attended with Prince *Maurice* and the *Rhinegrave*, came back this Way, nor M. *Fagel*; and 'tis said, they are to be to Morrow at the *Hague*; the Coeur Prince of *Brandenburgh*, and his Brother, with their Governour M. *de Schwerin*, met the Prince at the Fort, and they dined there all together; the great Noise and Expectation of this Place was, that the Possession of *Scars* should be deliver'd up to the States; but the Gentleman that attended the Coeur Prince, understood no such Matter; so that comparing what those Gentlemen told M. *Chudleigh*, with what M. *Van Haren* had told me upon that Subject the Night before, that Meeting was to give the Prince a full View of the Means to

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continue the Stream of the *Rhine*, by opening, enlarging, and deepning the Channel of it in its old Course; and to prevent its falling too much, as it hath done of late Years, into the *Waal*, least this Side of the Country come at last to be destitute of that Cover and Fence the *Rhine*-Stream gives it.

It hath pleased the Prince to give the Command of the *English* Regiment, that Colonel *Lilleston* commanded, to Major *Astley*, Son to the late Lord *Astley*, Sir *Jacob*, of whom I made some Mention in a former Letter to your Honour; my Lord Ambassador hath, I doubt not, served him very powerfully, as well as heartily, in that Affair; and I have no less an Obligation to attempt something, for his Satisfaction and Service, on my Side likewise; but this I have no Hope, or Pretence to be able to do, unless it be by your special Favour, Sir, that his Majesty might be supplicated for his Letter to the Prince of *Orange* in his Favour, in a Conjuncture that gives him a View of the only Thing he is ambitious of in the World.

It is to be made Dressart of *Gorcum*, the present Officer being certainly to be turn'd out for Misdemeanour; the Election is the Towns, but they will choose him, and no other, that the Prince shall please to recommend. Colonel *Astley* was born in that Town; the Town's People put him upon seeking of that Place, being most unanimous in their Wishes, and so would be in their Votes for him; 'tis a Place of some Trust and Credit: But I am told, the main Thing he proposes to himself from that Office is, to be able to bring the Regiment thither, which he will labour all he can to bring into some Credit again. He is perswaded the least Line from his Majesty to the Prince, would be sure to get him recommended; if my joyning in Petition with this Gentleman, or my Petitioning for him to your Honour, might be any Inducement to represent favourable this Case to his Majesty's Grace and Royal Goodness, I do it with all my Heart; and shall reckon the Favour done to my self; and I can do no less, in Acknowledgment of his Civilities to me in this Country, and in Memory of my old Lord *Astley*'s Fidelity in the King's Cause.

Some of my Domesticks here do complain, that one Mr. *Pain* of the *Brill* had been used to take the Liberty both of opening and detaining Letters, under Pretence of Orders from the States; and that some Letters to them have been sometimes detain'd, and sometimes opened; I do no mention this, but in Regard of your Business and mine in this Negotiation; that if there be any Caution to be used on this Side, or any Orders procured from my Lord Chamberlain on that Side, for to secure us against foul Play, (for I suppose my Lord hath a Hand in continuing of *Pain* in that Post) you may be pleased to determine what should be done, and I shall carefully execute what you shall be pleased to direct me, who am with all Truth and Respect, Right Honourable Sir, &c.

Sir, I beseech you pardon me, that I trouble you with the inclosed Letter to my Lord the Earl of *Craven*, 'tis in Behalf of Colonel *Astley*.

L. Jenkins.

Nimeguen 8 *March*, *O. S.* 1675-6.

Right Honourable SIR,

IN my laſt, which was of the 4*th* Current, I took Leave to acknowledge the Honour of yours of the 22*th* of *Feb.* as alſo the Favour of Mr. *Benſon*'s of the 25*th*, by your Order: Theſe Eaſterly Winds not ſuffering any of freſher Date to paſs over, which otherwiſe I might have hoped for this Morning. M. *Van Haren*, who is the only Miniſter here, (M. *Beverning* having already made his Excurſion of 10 Days, to ſpin out about 20) was pleaſed about 2 Days ago, to communicate to me, as News we had talk'd of together, the two Reſolutions incloſed, which I take the Liberty to ſend, notwithſtanding I preſume you have them already from the *Hague*. The one, upon my Lord Ambaſſador's Memorial, you have, I doubt not, from himſelf: The other, upon M. *Beuninghen*'s Letter, ſince my Lord mentions nothing of it in his to me, may not have been with the ſame Diligence (tho' both of the ſame Date) communicated to him.

I had much Diſcourſe with M. *Van Haren* laſt Night upon them both, and I could not chooſe but obſerve, and bemoan to him, how unfairly the States did (in that Reſolution which relates to the Memorial) put it upon his Majeſty, as if he were now engaged, by ſomething he had aſſured them by his Miniſters, to procure Paſſports for the *Lorain* Plenipotentiaries, in the Form they are now inſiſted on.

I told him, his Majeſty had fully made good what he had undertaken to do, in that he had brought the Moſt Chriſtian King to yield up that Point, which had occaſioned the Doubt and the Queſtion among the Confederates, and to grant Paſſports to the Miniſters of *Lorain*, which *France* had abſolutely refuſed to do, firſt at the Treaty of *Munſter*, next at that of *Cologne*, notwithſtanding all the Inſtances of the reſpective Mediators.

THAT what our Miniſters did undertake in his Majeſty's Name, or when they did undertake it, does not appear by any Writing quoted or referr'd to; and that it was hard to ſtrain the Words and the Hopes of a great Prince, (while he is doing the beſt and the glorioufeſt Work that a Prince can do) beyond the common Intendment of all Mankind; for whoever doth promiſe, tho' never ſo confidently, that a *third* Perſon ſhall do ſuch and ſuch an Act, muſt either be thought not to underſtand the Difference between that which is in his own Power, and that which is in another Man's; or elſe muſt be allowed to mean no more by ſuch Promiſes and Undertakings, than that he will do his beſt Offices in the caſe, which themſelves cannot but abundantly witneſs, his Majeſty hath done in the Court of *France* on this Occaſion.

BUT M. *Van Haren*, upon my ſaying that this Incident about the Title of Duke, was a Thing that could never have come in Queſtion, if the late Duke *Charles* had lived, replied upon me, that the Undertaking by our Miniſters was ſince the laſt Duke's Death, and with Regard to this preſent Duke; which gave me Occaſion (under Correction) that if the States when they drew this Promiſe or Undertaking from his Majeſty's Miniſters, did not at the ſame Time foreſee the Difficulty that is now riſen upon the Difference between the Caſe of the Nephew, and that of the Uncle, (in Regard the Ceſſion alledg'd was to take Place at his Death) and did, upon their Apprehenſions of the Title that *France* was like to ſet up, deſire his Majeſty to take Care and provide, that

that this Duke ſhould not be abridged in any Thing of the Stile of his Uncle; they have no Pretence to ſay, that his Majeſty's Offices have fallen ſhort of the Undertaking; for the only End of the Paſſports in Queſtion being, that the *Lorain* Miniſters may be here (and ſo likewiſe paſs and repaſs) with the ſame Honour and Security, that any other Miniſters may pretend to; it cannot be ſaid, that the procuring of this Title (which was to be no Ingredient to the Security of the Miniſters, but relates wholly to the Merits of that Duke's Cauſe) was any Part of that which his Majeſty was pleaſed, as they ſay, to charge himſelf withal, and to undertake by his Miniſters that *France* ſhould not ſtick upon that Point.

The other Reſolution upon M. *Van Beuninghen*'s Letter, aſtoniſhes me yet more than the firſt; for here is an Expedient refuſed, before his Majeſty hath Time to propoſe it, or is heard by his Ambaſſador to the Objections againſt it; and 'tis ſo haſty, that ſuppoſing his Majeſty had (upon hearing of what Sorts of Difficulties were made about it) retrench'd his Propoſal of granting his Paſſports to all the Parties in War, and limited it to the Duke of *Lorain*'s Caſe alone, all their Difficulties which have been anſwer'd for putting the Expedient to, here would be no Prince concern'd to part with his Sovereignty, but the Moſt Chriſtian King alone, and he declares himſelf willing and ready to do it (for ſo my Lord *Berkley* is pleaſed to write me Word) upon this Occaſion; tho' they make a wonderful nice and myſterious Matter of it; beſides their Labour of Writing, except it be to the Duke of *Lorain*, would have been ſaved: but this Reſolution ſeems to me to be ſo haſty and ſo raw, that it can give them little Reputation of being extraordinary well-inclined to have a Congreſs before the Campaign.

In this Converſation I did not obſerve any Thing to fall from M. *Van Haren*, as if he had had any Proſpect or Hopes this Buſineſs might be remedied by ſome other Means; only he asked, why the Moſt Chriſtian King might not be prevailed upon to put a Blank Paſſport, ſigned by himſelf, into his Majeſty's our Maſter's Hands, to be fill'd by his Majeſty, with the Duke of *Lorain*'s Titles. But he ſpoke much of the Advantage which our Trade brings to *France*, for the carrying on of the War, and how quickly the preſent Heights of *France* would be brought to Reaſon, and ceaſe to be Matter of Apprehenſion to all the Parties in War, if his Majeſty did joyn with them, and employ but 10 Men of War to ſtop any one Port, while they ſtopt the others; together with much more to that Purpoſe, and upon the Subject of the Treaty of *Munſter*. The Interpretation whereof *France* and *Sweden* (as being two Voices againſt the Emperor, and the States of the Empire, which are allowed to be but one) do challenge to themſelves, upon the ambiguous Paragraph, — *Ut eo ſinceriùs* — and ſo in other Doubts which Time raiſes upon that Treaty.

The Prince, when he was at *Schenck-fort*, gave Prince *Lodowick*, the youngeſt Son of the Elector of *Brandenburgh*, a Regiment of Foot. We do not yet hear that a *Dutch* Garriſon is received there, tho' the Prince is ſaid to have named *Tuoy*, his Quarter Maſter General and Engineer, to be the Governour. M. *Van Haren* ſays, that Fort will e're long be put into their Hands.

It is a Son of M. *Van Zulichem*'s, that is Draſt, or Dreſſart of *Gorcum*, and hath above 100 Articles of Accuſation preferr'd againſt him, which are of that heinous Nature, that Colonel *Aſtley* is aſſured he will be turn'd out, notwithſtanding his Father's great Power, and his Brother's being Secretary to the Prince. It is upon that Confidence that

I took

I took the Boldneſs to trouble you, Sir, in my laſt, joyn'd with the Belief I have of the Colonel's Worth. I am, &c.

L. Jenkins.

Nimeg. 11 *March, O.S.* 1675-6.

Right Honourable Sir,

MY laſt was of the 8*th* Current, a Duplicate whereof I take Leave to incloſe.

This Morning brings me the Honour of two of yours, one of the 29*th* paſt, the other of the 3*d* Current, together with ſeveral Copies and Duplicates in each, for which you have my moſt humble Acknowledgments.

I do with the deepeſt Veneration and Dutifulneſs imaginable acknowledge his Majeſty's Royal Goodneſs, in ſuffering my Petition to lie at his Feet, till there be Cauſe to direct ſomething upon it, touching my getting out of this Country.

I muſt confeſs I cannot but wonder, that they in the *Hague* can own ſo weak an Objection as that is, about Princes departing from their Soveraignties, in deriving upon his Majeſty their Power of granting ſafe Conducts in ſuch a Caſe as this is.

His Majeſty, if he do not ſee Cauſe to demand this Power from all the Parties, in order to cover the particular Caſe of *France* and *Lorain*, would be able to take away the very Foundation of that Cavil, if he ſhould demand it from none but from *France* alone; for ſuppoſing that the *French* would deſire none from the Duke of *Lorain*, no Prince's Soveraignty would come in Queſtion but that of the Moſt Chriſtian King, who would be as hardly brought to part with any Snip of his Soveraignty, as any of their Maſters that make this Objection.

However, I am not without ſome Anxiety, till I do by your Favour, Sir, learn, that his Majeſty, in Caſe this Expedient be at laſt accepted of, hath ſome Aſſurance from the Parties themſelves, that when the *Plenipouvoirs* come to be exchanged here, they will either acquieſce in ſuch as ſhall be given, or elſe in a Declaration from his Majeſty, (ſuch another as the Mediators at *Munſter* gave) *que les qualites priſes ou omiſes ne pourront prejudicier:* But ſuppoſing we were over the Difficulties of Paſſports, are we ſure the *Spaniards* will enter into Matter? I humbly take Leave to make the Doubt, for that the Acceptance that *Spain* hath declared of his Majeſty's Mediation was on this expreſs Condition, that his Majeſty's Mediation ſhould be compatible with that of the Pope's, which the Queen of *Spain* ſaid, ſhe would not depart from, as having been firſt accepted: If the Pope refuſe to ſend hither, becauſe here is no open Exerciſe of their Religion; in ſo doing, he determines his Majeſty's Mediation and his to be incompatible.

Here is a Report of a Treaty ſet on Foot by the *French* at *Zeevenberg* in *Tranſylvania*, which is ſpread ſo much the more induſtriouſly, that the Scope and Deſign of it is ſaid to be, to give the *Turk* Leiſure, when he hath made Peace with the *Pole*, (for they are the Parties ſaid to be in Treaty with each other) to fall with all his Force into the Empire. I am with all Truth and Reſpect, &c.

L. Jenkins.

Nimeguen, 15*th March*, *O. S.* 1675-6.

Right Honourable Sir,

THE last that I took Leave to trouble you with, was of the 11*th* Current; wherein I did acknowledge the Honour of yours of the 3*d*, being the last from that Side as yet come in Hand.

M. *Beverning* is not yet return'd hither. I do not find by any Thing that falls from M. *Van Haren*, upon the Matter of the *Lorain* Passports, that these States are to be prevailed with to depart from their Resolution past upon M. *Van Beuninghen*'s Letter; but when I have offer'd him any Thing, as I have done in Conversation twice or thrice, for the Reasonableness of their so doing, he still replies upon me, with a Why not a Blank Passport, signed by the Most Christian King, and fill'd up with the Duke of *Lorain*'s Titles by our Master?

I have told him, that such a Passport must be understood to be that King's own formal and immediate Act in all the Parts of it, and that the Contents of what he shall subscribe to, will be in Construction of Law indivisible, and not to be distinguish'd and separated the one from the other, by any Salvo or Protestation: Whereas the giving of a general Power, (such as the King our Master proposes) does imply a Reserve, and a Liberty to the Giver to assign Limitations to him that hath it, and to protest with Effect against any Use that shall or may be made of it, beyond the Intention, or to the Prejudice of the Giver: This being the Doctrine universally received all the World over, in Cases of Mandates and Procurations.

To this he was not pleased to say much, only to affirm, that by the Expedient his Majesty proposes, *France* would gain the Point in Contestation, tho' I could not perceive any *Medium* he went upon to evince or prove what he affirmed.

This last Ordinary brought me a Letter from our old Friend Mr. *Fisher*, the Copy whereof I take Leave to inclose here, together with the Duplicate of my last. You will see, Sir, the Business of it to be, that (the Emperor having made him his Vice-Chancellor in some of the Hereditary Countries, and consequently dismist him from his Post at *Cologn*) he would have me employ the Friends and Credit he is pleased to suppose I have at the Court of *France*, to procure him a Passport to go from *Cologn* to *Friboürg* in *Brisgowie*; which is his Home indeed, but much wide, as I take it, from those Places he is to enter upon his Charge in; and his Journey will be all along through the present Seat of the War. Having no Shadow of Pretence to the Credit he supposes me to have, I would willingly excuse myself, but I doubt I cannot, since this Motion to me may possibly have been directed from those who gave him Leave to make Means for this Passport: Besides that, his Majesty hath some Pretensions (as it were) depending in Matter of good Offices between himself and the Emperor at this Time. However, I have not presumed to write to my Lord *Berkley*, so as to request any Thing of him in this Matter; only I have humbly taken Leave to acquaint Mr. Secretary *Coventry*, as I do your Honour, with it, that in case it should be thought fit to move his Majesty for his Pleasure, and that he give his Approbation, my Lord *Berkley* may have his Orders from that Side to move for this Passport; and if it be obtained, to send it straight hither. If nothing be to be done or attempted in it, I beg the Honour to be directed what to write to Mr. *Fisher*; for the present I tell him, that

having

Having no such Acquaintance as he is pleased to believe, I make it my humble Suit to the Secretary of State for that *Departement*, to judge and try what could be done by his Majesty's Ambassador in *France* for Mr. *Fisher*'s Service.

The demolishing of the Citadel of *Liege*, is Matter of Wonder and Joy here; they say, the News is so good, they can hardly flatter themselves with it; tho' the Mines and Dismantlings that have been making, and the Provisions that have been selling ever since *Saturday* was sevennight, make the Thing very credible.

The *French* Ambassadors are still at *Charleville*. I take Leave to send you the last Letter I have from them. The Prince of *Orange* hath refused that Passport, which the C. *de Solmes* had undertaken to procure from him for 3 Grooms, that were to come hither from *Maestricht*; but hither they are since come, without any Passport at all, except it be from one *Panu*, an Officer in the *French* Service. The Commandant here hath had it in Deliberation, to seize them as his Prisoners; but M. *Van Haren* did tell him, (for I made my Instances with him as soon as I heard of it) 'twas his private Opinion, he should do well to forbear it. The best is, these Fellows prove to be not *Frenchmen*, but *Germans* that have quitted the *French* Service. I am with all true Respect, *&c.*

L. Jenkins.

Nimeguen, 18*th March* 1675-6.

Right Honourable Sir,

There being this Post two Mails in Arrear, the last I have the Honour of from you being of the 7*th* Current, I have nothing besides the Duplicate of my last, which was of the 15*th*, to trouble you withal. M. *Beverning* is not yet return'd, but is said to have set out two Days ago for this Place.

M. *Van Haren*, in his last Conversation, seem'd to have some Hopes, that the *Swedish* Plenipotentiaries, when they are come upon this Place, where he expects they will be ere long, the States General having resolved to fetch and transport them in a Ship of their own, will bring *France* to yield the Point of the *Lorain* Passports, and to send their Ambassadors hither without further Delay.

We see the States can, when they so please, make a bigger Step in order to remove Difficulties, than that of joyning with his Majesty in the Business of Prince *William* would have been: But is not there a secret Ressort from *France* that moves to it, as well as their own Jealousy that their Neighbours do not profit too much, from the total driving out of the *Swedes* from what they had got in *Germany*? 'Tis to me somewhat visible, that they do not like the Pretensions of the Elector of *Brandenburgh* to any of his former Rights and Possessions in *Pomerania*; since the Treaty of *Munster* hath, they say, vested him in more than an Equivalent, to compensate what he had parted with. But when the *Dutch* shall by a new Way have brought the *Swedes* upon this Place, I wish some Care may be taken (unless the *Dane* and the *Swede* do exchange Passports after they are here) to prevent Rencounters and Mischiefs that may happen between them. For if neither the States General, nor the Government here, shall, in virtue of their Soveraignty, concern themselves (as it seems they will not) to restrain Violences, or to keep the Peace in this Assembly, how shall the *Swede*

 be

be safe from the *Dane*, for Instance? or where shall he that is insulted complain? for I take it under Correction, that every Man's Safety here lies in the safe Conduct that the Soveraign of one adverse Party shall give the Subjects of the other.

If it be said, there is a Reverence due to Neuter Places, 'tis true; but then 'tis hard to imagine that any Place can be made Neuter, unless it be either by the Consent of the Parties, which I suppose the *Dane* not to give on his Part in this Case; or else by the Laws, which the proper Soveraign gives in it; whereby he requires his Peace to be kept in it, and will suffer neither of the Parties in Enmity to violate that Protection which he imparts indifferently to both.

You will say, Sir, that these are Speculations that take Place only with Men that have little else to do, it may be so; and I do most humbly beg your Pardon; nor should I have committed them to Paper, but from an Apprehension that I cannot cure my self of; it is, that the very Being of such Assemblies is of an extream slender and precarious Frame, that many Accidents and any Contrivance can dash them to Pieces: To this I add, that it will still be either the seeming Interest, or the real Passion of one or other of the Parties, to have them come to nothing. I think, I need go no further than the *Dane* and *Brandenburgher* at this Time, for an Instance. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeg. 22 *March*, *O S.* 1675-6.

Right Honourable Sir,

SINCE my last, which was of the 18*th*, the Duplicate whereof I take leave to enclose, I have the Honour of two of yours, the one of the 10*th*, and the other of the 14*th* Current, with several Duplicates and Copies in each to acknowledge. M. *Beverning*, after a Months Absence, return'd two Days ago. He and his Collegue are much surpriz'd at the Imprisonment of M. *Griffenfeldt* in *Denmark*.

In his Reasonings last Night upon this Incident, he concluded him to be corrupt; for first, this great Minister was observ'd, when News was brought him of the Victory that the Elector of *Brandenburgh* had obtain'd over the *Swede*, to be exceedingly mortify'd with it; and to have shut up himself for several Hours, and not to discover the least Sign of Joy or Satisfaction upon so considerable a Defeat given to an Enemy of his Master's. *Secondly*, The Conduct of the *Dane* before *Wismar* was so ill, that sober Men did conclude, the *Dane* had no Mind to take the Town; and this ill Management, M. *Beverning* imputes to the Treachery of M. *Griffenfeldt*. *Thirdly*, M. *Beverning* having now of a good while concluded with himself, that the Most Christian King must have some secret Resource and Confidence, besides that of his present Force, otherwise he would make more Haste to deliver *Sweden* and himself by a Peace, from the great Embarrass that the Allies are like to put them to; upon this Incident, concludes it must be, in a great Part, the Intrigue the *French* had in the Court of *Denmark*.

He seemed to wish, that the *French* have not the like in the Court of *Brandenburgh*; for tho' he be satisfied, as he says, that that Elector is a Prince of Courage and Generosity, yet two or three Men have been able to bring him off unhandsomely enough from the Resolution he had taken

taken to assist the States, not without a strong Suspicion that those Men were corrupted by *France*.

He told me, he thought his Majesty's Expedient would be accepted of at last by the Allies, but that three Months at the least would be taken up before it came to any Effect.

It is his Conjecture, that the Seat of the War will be about *Philipsburgh* this Summer.

The Intendant of M. *Colbert* told a Gentleman of mine, that a Burgher of this City had reported to him, that some *English* and *Dutch* Men of War had fought together upon these Coasts about striking; other People, but of no great Credit, have talk'd of the same Thing, but we hear no more of it (all the inclosed from Line 10 was in Cypher). They are not without Hopes here, that now the Electoress of *Bavaria*, (who died the 18*th*) being taken out of the Way, the Elector will be brought over to the Emperor's Interests; and they do now own some Assurances in the Duke of *Newburgh* and his new Levies. The Intendant told me, his Master was like to take a Turn for two or three Days in *Paris*, but that M. *d'Avaux* will keep still at *Charleville*.

They complain here the Letters are open'd; but I have not observed it, in those addressed to me. This Garrison musters to Morrow, and will march within two or three Days. I am with all Truth and Respect, *&c.*

L. Jenkins.

Easter-Eve, O. S. 1676. Nimeguen.

Right Honourable Sir,

In my last, which was of the 22*d*, a Duplicate whereof I take leave herewith to inclose; I gave you my Acknowledgments of the Honour of yours of the 10*th* and 14*th* Current, which are the last yet come to Hand.

The *Dutch* Ambassadors, in a Visit they favoured me with yesterday, had nothing at all, they said, new: Their Expectation is to hear, what this great Incident in *Denmark* will end in; they have no Certainty, they say, when Monsieur *Guldensterne* is to embark in *Sweden*, in Order to his being transported in a States Man of War for these Countries: Nor is it known hitherto at the *Hague*, who will assist at this Treaty besides himself; M. *Ehrensteen* having upon his Supplications been excused, and M. *Sparr*'s Charge of General of the Foot *Militia*, seeming to require his Attendance upon that Post; and M. *de la Gardie* being now *Rix-drost*, his late Charge is at present executed by a Vice-Chancellour.

The blocking up of *Philipsburgh* goes on in good earnest; and there is an Endeavour to bring over the Confederate Troops, intended against *Staden*, to engage at present against *Philipsburgh*: The *French*, they say, labour all they can to make up a Peace between the *Pole* and the *Turk*; but that King pleases not at all here: The Reason given, is his being too much in the *French* Interest. There is a very magnificent Embassy now upon the Way from the *Ottoman* Port to *Vienna*. Their Conversation being upon these Subjects, we had nothing at all mentioned of the Expedient, more than that their Masters had not yet had any Deliberation upon it, as a Thing ordered by his Majesty, to be proposed to them in Form. They look upon this Campaign, as like to be very

bloody;

bloody; the Vigour and Efforts of the Confederates, being in their present Appearances much greater than in the foregoing ones.

Here is a fresh Report blown about the Town, as if it were certain the *French* Ambassadors would be here from *Charleville* before the End of this Month, tho' the *Dutch* Ambassadors professed to know no Ground for it; whenever they do come, I suppose the new Plenipotentiaries for *Spain* (who are said to be *Don Emanuel de Lyra*, and M. *Pape*, being so near Hand as they are) will not tarry long after, when the *French* are here. 'Tis probable they will be but Envoys Extraordinary, as M. *de Lyra* and his Collegue were thought to be at *Cologn*. But you may please to remember, Sir, what Difficulties the Count *Tott* did complain of, that M. *de Lyra* did put him to there, when the Count had a Mind to come to speech with him: I cannot hope, that our Case will be better here; and therefore 'tis possible, that his Majesty may think fit to descend to let us know his gracious Pleasure for our Government in that Case.

I beg your Pardon, Sir, most humbly, that I troubled you three Posts ago for a Passport out of *France*, that M. *Fisher* (our old Acquaintance at *Cologn*) desired might be procured for him to pass to *Friburg*. He writes me Word last Post, that he had one already sent him by the Favour of the Bishop of *Strasburgh*; I should not have sent you his Letter, as I do inclosed, (it hath so much of fulsome Complement in it) but that you may see it is his Opinion at least, that there will be Reparation for Damages sustain'd insisted on of that Side, when they come to treat. I suppose that which he had in View, was the Burning of *Brucsal* in the Diocese of *Spire*, which is a sad Story; and I think not justifiable by the Rules and Permissions of War, if it be as the Print enclosed tells us. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeg. 29th March, O. S. 1676.

Right Honourable Sir,

My last, which was of the 25*th*, *Easter-Eve*, the Duplicate whereof I take leave to enclose herewith. The last that I have the Honour of from you, is of the 14*th*, there being two Mails in Arrear from *England*.

The *Dutch* Ambassadors did not yesterday own to know any Thing of the Result of that Conference, which was had upon his Majesty's Expedient at the *Hague* this Day seven Night; all they were pleas'd to tell me was, that the States would make no Difficulty on their Part, if the Allies would now, upon his Majesty's Circular Letter, declare their Acceptance of the Expedient.

Upon a Discourse that they and I had of the Narrowness of the Streets in this Town, and of Stops and Rencountres that may happen, when the Assembly is full; they told me, (and they seem'd to have enter'd upon that Subject, that they might take Occasion to tell me) that the States and the Prince had long before the sending of their Ambassadors hither resolved, that the whole ordering and governing of this Place should be put into his Majesty's Hands, and that this Resolution had been communicated to Sir *William Temple*. I told them, Sir *William Temple* may have received his Majesty's Pleasure upon that Matter, but that I had not yet heard any Thing of it. They desired, that

that they and I ſhould ſet apart ſome Day or other to view the Streets, in Order to conſider what might be done to prevent Accidents; adding, that when the Aſſembly ſhould begin to fill, they for their Parts, and ſo the Magiſtrates for theirs, would not concern themſelves for any Thing that related to the Aſſembly; but ſhould hold themſelves for meer Strangers, and as in a foreign Territory.

In thoſe Accounts that I have ſeen of the Treaty of *Munſter*, there is Mention, as I remember, of a Governour and Garriſon brought in thither upon that Occaſion, and ſworn to two Points; the one to obſerve a Neutrality, as to the Parties in War; the other, to obey the Orders of the Magiſtrate of the Place.

I write now to Sir *William Temple*, touching the Communication ſaid to be had with him in this Affair; and as for his Majeſty's Pleaſure, how far he would have his Miniſters here meddle with the Buſineſs of the Garriſons, or of the Magiſtrate; we have an Intimation of it much in the Negative, where he is graciouſly pleaſed, by an Apoſtil to a Query of mine, to direct, that the Mediators ſhould leave it to the Parties in War, to take ſuch Orders as themſelves ſhould think fit, about their Lacqueys wearing or not wearing Swords; and about conſigning their Domeſticks to the Magiſtrate, in Caſe of Riot or great Crimes. But 'tis poſſible, his Majeſty may judge a more expreſs Signification of his gracious Pleaſure to be needful to us; ſince this State ſeems to reckon that it hath diſcharg'd it ſelf from this Care and Concern of keeping the Peace upon the Mediation.

The Gazette encloſed, ſpeaks of Recruits come out of *England* to the *Engliſh* Troops in the *French* Service; 'tis probable you may pleaſe to furniſh me with ſomething that is particular, to oppoſe againſt this Calumny, if it ſhould be objected to me; as I hear 'tis couched moſt ſpitefully in the *Neuremberg* Gazette. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

Nimeguen 1 *April*, 1676.

Right Honourable Sir,

MY laſt was of the 29*th* paſt, a Duplicate whereof goes herewith incloſed; This Morning I have the Honour of yours of 21 *March*, with ſeveral Copies and Duplicates, for which you have my moſt humble and hearty Thanks.

This Morning brings the Reſolution of the States and their Allies, touching his Majeſty's Expedient, which you have ere this, I doubt not, by the ſame Hand.

I am ſorry to obſerve, that the Penner of it does ſtrain a Promiſe that his Majeſty is ſaid to have made ſo uningenuouſly hard. The uttermoſt that the Allies could build upon ſuch a Promiſe, if any ſuch was made, was that his Majeſty would uſe his Offices in the beſt Manner; and all that his Majeſty could mean was, that the *Lorain* Miniſters ſhould now be ſure of Paſſports to come to *Nimeguen*, which could never heretofore be obtained for their coming to *Munſter* or *Cologn*; and the Allies cannot pretend that this Difficulty (riſen from the Deceaſe of the laſt Duke of *Lorain*) was in View, when his Majeſty made this Promiſe; for neither they, nor the Duke of *Lorain*, deſired any Proviſion or Remedy againſt this Difficulty, till M. *Serinchamp* found out this Defect in the Paſſports for *Lorain*, as they were ſhew'd him in

in their Originals, as I take it, in the Beginning of *January* last, *N. S.* at the *Hague*.

BUT the Penner seems to me to make Avows of every Word by his Reasoning against making Use of the Expedient, because 'tis not to be met with in Story; and by his mentioning of the Titles of the King of *Sweden*, which is, as I humbly conceive, somewhat wide of the Point in Hand: That indeed which he says of the Bishop of *Strasburgh* comes nearer; but yet comes not Home to the present Case: But the Writer is not rightly informed (as I humbly take it) in the Fact: The Bishop is not declared — *dechu de son Evêché par la Diéte*, neither the Emperor nor the Diet singly or jointly could do it, against such a Party as the Bishop is, without first hearing, and then convicting him, or else proceeding against him by Way of Bann, or Outlawry, as we term it: All that the Diet did, or could possibly do, was to exclude his Deputy there from Voting, while the Bishop was in those Quarters, that both the Emperor and the Diet had before declared Enemies. But the Emperor could not, under Correction, refuse the Bishop a Passport to come to the Treaty, it being a Case ruled in the Treaty at *Munster*, that no Princes or States of the Empire should be denied Passports, because they had been declared Rebels.

THE Subjection of those Princes or States being not understood to be absolute, as in the Hereditary Countries, but qualified according to the Constitutions of that great mixt Body.

Mr. *Ducker* arrived here late last Night, and means to set forward to Morrow for *England*: I will not anticipate by my scribling what he hath by Word of Mouth to say of Mr. *Skelton* or himself. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeguen, 5*th April* 1676.

Right Honourable SIR,

SINCE my last, which was of the 1*st* Current, I have the Honour of yours of the 28*th* past come to hand this Morning; by which I perceive his Majesty was to go next Morning for *New-Market*, there to pass some Time: I beseech God to preserve him there, and every where, in perfect Health, and in all Happiness.

'Tis a special Favour you do in sending me that Part of M. *Van Beuningken's* Memorial there. I shall within a Day or two, in all Probability, have the Reflexions of the *Dutch* Ambassadors upon it; for they look upon him here as too much a Well-wisher to the Expedient.

I told you, SIR, in my last, I had received the Resolution of the States by that Day's Ordinary; but speaking to the Ambassadors of it on *Monday*, (2 Days after) they did not own to have seen it; saying, the Holy-days were the Cause no body sent it them, there being none of it in their *Greffe*.

I told M. *Van Beverning*, upon their demanding of me the Substance of it, that I should appeal to him, after he had read it, as I had done upon another Resolution of the 10*th* of *March* to his Collegue M. *Van Haren*, when he was away, whether the Penner of this last Resolution did not strain that Undertaking too hard, which is there ascribed to our Master; since the States and the Allies could not choose but be satisfied, 1. That a Mediator ought not to undertake any more from either of the Parties, than that he would use his best Offices with them; and

and that it was not reasonable to expect more in this Case. 2. That his Majesty has obtained more from *France* in Favour of *Lorain*, than any Mediators before him had obtained; and that no more had been requisite, than what his Majesty has now obtained, if the Death of the old Duke *Charles* had not unhappily begot this new Incident. M. *Beverning* and M. *Van Haren* were both pleased to avow the first very frankly, that his Majesty could do no more than use his best Offices, and he believed he had done it to the full in the present Case.

A few Hours after Mr. *Ducker*'s Departure for *England* on *Sunday* Morning, came several Packets for him from *Cologn*, *Ratisbone*, &c. which I humbly take Leave to shelter under your Cover.

The same Post brought me a Letter from M. *de Strasburgh*, a Copy whereof I humbly take Leave herewith to inclose, begging the Honour of your Directions upon it.

He proposes and desires, as you will find, Sir, that he having some Houshold Goods at the Provost at *Cologn*, I would send my Pass thither to fetch them off (for he doubts they are not in Safety where they are) to this Place, under the Notion and Colour of certain Goods and *Hardes* left by yourself, Sir, and me, behind at our coming away, which I should now send for. I would most readily and heartily serve his Highness, if I could tell how; but I shall by no Means expose the Mention of your Name, Sir, to this or any other Risque, without your Leave: And another Thing is, the Colour is so palpably gross, that if the Things do fall under any Suspicion, that shall proceed so far as to take any the least View of them, 'tis impossible to escape a Discovery. Besides, if we should be deprehended in this pitiful little *Ruse*, the World would not reckon it so much my Folly, as score it up for a Partiality in my Master to that Side. So that I shall not dare to move one Step without the Honour of your Directions.

The Intendant of M. *Colbert* told one of my Gentlemen yesterday, that he would call upon me very suddenly, to desire my good Offices in procuring them Passports from the States, to return Home as they came; yet I have heard no more hitherto of him, tho' this Day's Post for the *Hague* be near upon going.

On *Monday* last came to see this Town Prince *Lodowick*, second Son of the Elector of *Brandenburgh*, with his Governant, Madame *de Schwerin*, from *Cleves*; they dined at M. *le Baron V. Rossom*'s, a Relation of M. *de Schwerin*'s. I had an obliging Promise from him, for he did me the Honour to call upon me, that he'll take a Dinner the next Time he comes with me. This Prince did very solemnly desire to have his humble Respects and Services to his Majesty.

M. *Schwerin* writes me Word, the two Brothers go to *Berlin* at *Whitsuntide*, and the eldest thence to his Father in the Campaign. The eldest is now at *Amsterdam incognito*, but will be back again in a Day or two. I had almost forgot to observe, that the *Dutch* Ambassadors were, in their last Conversation, very inquisitive to know, what that Minister of our Master is, who is now with the *Northern* Crowns. These Gazettes call him M. *le Crosse*, and say he is dispatched in *Denmark*. I could not give them any the least Account of the Man or his Business. I am with all Truth and Respect, &c.

L. Jenkins.

Nimeguen, 8th April, 1676.

Right Honourable SIR,

MY laſt was of the 5*th*, a Duplicate whereof I take Leave to incloſe. I have ſince the Honour of yours of the 31*ſt* of *March* come to Hand, and in it, amongſt other Copies and Duplicates, the Letters that paſſed between you and *Don Pedro de Ronquillo*; for which you have my moſt humble Thanks.

THE *Dutch* Ambaſſadors having ſpoken to me a ſecond Time about *du Croſſe*, and particularly that he was a Servant of M. *de Ruvigny*; I carried the Letter you had written to *Don Pedro*, and read it to them this Morning, telling them, it was all the Anſwer I was yet able to give to the Enquiries they had made after this Man. I cannot ſay I did perceive in them all the Satisfaction that might have been reaſonably expected upon this Letter, nor can I gueſs where it ſticks. Some Care there is, that renders them leſs free and open of late, than they uſed to be in Converſation; they avowing to me this Morning, that they had now received the States Reſolution, and M. *Van Beuninghen*'s Memorial upon his Majeſty's Expedient. I told M. *Beverning*, I was ready to make good that Appeal I had made to him againſt the Penner of that Reſolution, as having ſtrain'd too far an Aſſurance pretended to be given in his Majeſty's Name, that the Matter of the *Lorain* Paſſports ſhould not hinder the going on of the Treaty. His Anſwer was, that the *French* Tranſlation puts it harder upon his Majeſty, than the *Dutch* Original does; which does, he ſays, no more than inſinuate ſome ſuch Thing. We enter'd no further upon that Theme, which he ſeemed willing enough to decline, promiſing me a Copy of the *Dutch*, and complaining, that they have a great miſs of *Wickfort*, who was a good Tranſlator, this preſent one having, as they ſaid, no Skill at all.

M. *Van Haren*, upon my asking, whether there were yet any News of the *Swediſh* Plenipotentiary, and their Man of War, told me, their laſt Letters from *Romph*, their Commiſſary at *Stockholm*, (but of no freſh Date, being about the 12*th* of laſt Month) purported, that that Court had almoſt laid aſide all Thoughts of ſending Ambaſſadors to *Nimeguen*, ſince they ſaw all other Princes ſo backward; but that it is inclined to ſend hither a Perſon of ſome Quality, yet without any Character, to adviſe them in *Sweden* when any Steps ſhall be made towards the forming of a Congreſs.

IN my laſt, I gave you, SIR, the Trouble of a Letter from M. *de Straſburgh*, that he had done me the Honour to write about his Houſhold Goods in *Cologn*: I now humbly take Leave to incloſe a Copy of my Anſwer, wherein I endeavour to excuſe myſelf as well as I can.

I hear nothing more of the *French* Domeſticks about Paſſports for their Return Home, but they had need now look about them, for the States have put out a Placart this Week, declaring all thoſe of an Enemy's Country *de bonne prize*, in caſe they be found in any Places under this State without the neceſſary Paſſport. I am with all Truth and Reſpect, &c.

L. Jenkins.

Nime-

Nimeguen, 12 *April, O.S.* 1676.

Right Honourable SIR,

MY laſt was of the 8*th*, a Duplicate whereof goes along with this. I have the Honour of yours of the 4*th* Current come ſince to hand, together with ſeveral Tranſcripts in it; which I acknowledge with all humble Thanks poſſible.

THAT which you ſeem to hint, SIR, of a Difficulty you might have met with, in attempting to ſerve Mr. *Fiſher*, gives me ſome Hopes that the Demur I have made to give my Paſſport, to cover the Prince of *Strasburgh*'s Moveables in their Paſſage hither, (as Things that you and I had left behind us at *Cologn*) will find Pardon with his Majeſty, in caſe it be brought before him, and will alſo bring me the Honour of your Directions, in caſe it be thought fit I ſhould attempt to ſerve that Prince on this Occaſion.

I took Leave to tell you, SIR, in my laſt, what Anſwer M. *Beverning* had given to my Complaint, againſt the Paſſage in the laſt Reſolution of his Maſter's upon his Majeſty's Expedient. He hath ſince been as good as his Word, in ſending me the Tranſcript of the *Dutch* Original, which I take Leave herewith to incloſe; and on *Monday* he was pleaſed in a Whiſper (we happening to be then in Company of many Perſons of this Neighbourhood) to value himſelf upon the Diſcovery he had made of the Difference between the *French* Tranſlation and the *Dutch* Original; but, in Truth, I cannot find he hath any Cauſe to do it.

FOR tho' the *French* Tranſlator hath foiſted in ſome Words of his own, as —— *Se promettoient aſſeurement*, and varied from the true Import of the *Dutch* in his — *entierement deſtruits*; — yet theſe Words — *puiſque ſa Majeſté de la Gr. Britt. avoit fait aſſeurer leurs H. PPces. & leurs hauts Allies que les Paſſeports pour S. A.* de Lorain *ne retarderoient plus la Negotiation*, are put altogether as hard in the *Dutch*, (the Word *verſekeren* importing, *aſſeverare, fidem dare, ſpondere*,) if not harder than it's put in the *French*.

THIS I have always thought diſingenuouſly ſtrained, the ſame Word being uſed in their Reſolution of the 10*th* of *March*, ſo ſoon after the firſt Diſcovery of this Difficulty, which was in the Beginning of *January*; that his Majeſty's Miniſters (eſpecially thoſe with the more diſtant Allies) could not be inſtructed of his Majeſty's Royal Judgment and Pleaſure upon this new Incident of the Duke of *Lorain*'s ſucceeding to the Rights and Titles which were not diſputed to his Uncle.

M. *Beverning* ſeems to wonder, that the States and their Allies ſhould go ſo far in this Reſolution, as to ſay, — *Que le Roy de* France *en accordant le titre de Duc à S. A. de* Lorain, *ne cede rien de ce qu'il poſſede en* Lorain; —and again in another Place, — *Qu'il n'eſt icy queſtion que ſi ſa Alteſſe de* Lorain *ſera reconnu duc au lieu du Congrés, non pas que le Roy de* France *ſeroit obligé parcette ſimple reconnoiſſance de rendre le dit Duché, ou de ceder le droit que S. M. y pourroit pretendre, mais ſeulement afin que ſadit Alteſſe fût en etat de demander la Reſtitution de ſon Duché.* This he thought the States could not pronounce ſo openly, without ſpecial Power from M. *de Serinchamp* to do it. How it came about, I know not; but if *France* ſhould be diſpoſed to grant the Paſſports, with a Proteſtation of ſaving their Right, this Declaration, methinks, would be a ſufficient Fence againſt the Nullity that might be

 objected

objected to such a Protestation, (as being *contraria facto*) since there can be no Nullity in accepting of, and acquiescing in the Sence and Declaration of the adverse Party. You are pleased to do me the Honour to reflect and recollect your Thoughts, upon some Difficulties that I have taken leave to lay before you, as likely to arise in the Course of this Negotiation.

THERE is none of them that gives me so much Anxiety as that about the first Visits, in Case any of the Parties should refuse it us: I will therefore hope, that his Majesty will be put in Mind of that with the first; for if any Matter of Deference or Respect, otherwise most due to his Majesty, should prove an Accroachment to his Ministers here, that they could not enter upon their Function, the Clamour of all Christendom would be against us; and yet the Truth would be, one of the Parties would have the Advantage of covering its Averseness to the Peace under his Majesty's Concern.

THE *French* have now begun their Hostilities in the Duke of *Newburgh*'s Country; a Party from *Maestricht* having burnt down *Sittaert* in the Country of *Juliers*, before the Death of the Empress; (which happened the 8*th* Current, *N. S.*) some did take upon them to conjecture, that the Princess of *Newburgh* would, as the Case now happens, stand fair in the Emperor's Eye; her Mother is of the House of *Hessen Darmstadt*. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeguen 15*th April*, *O. S.* 1676.

Right Honourable SIR,

MY last, that I took leave to trouble you with, was of *Wednesday* the 12*th*, the Duplicate whereof, as also of the States Resolution in the *Dutch* Language upon his Majesty's Expedient, go herewith inclosed. Since I have the Honour of yours of the 7*th* Current, together with several Duplicates and Copies, which I acknowledge with all humble Thanks.

HOW it falls out, that my Letters do not come more regularly to Hand on that Side, I cannot imagine, the Wind having been of a long Time for the most Part *East*, and I having never let pass any Ordinary of *Wednesday* or *Saturday* without addressing you the Trouble of a Letter.

I told you, SIR, two Posts ago, how the *French* Domesticks did give out, they would e're long make their Request to me, to procure them Passes for their safe going Home; two Nights ago, the Chiefs of them brought me a Letter from Messieurs *Colbert* and *D'Avaux*, the Copy whereof goes here inclosed, as also of the several Memoirs they brought me this Morning of their Names, and the Number of Horses: They give out somewhat industriously, that they are sent for, that their Masters may be no longer without the use of their Servants and Horses at *Charleville*, and that they may be in a Readiness to take their Journey from *Charleville*, by Land, for this Place, since the *Meuse*, in this Season, will be too shallow to embark upon; but in their private Discourses, they discover their Hopes and their Thoughts of returning hither not to be so great as they would have this Town believe they are at this Time.

MY Lord Ambassador *Berkley* writes me from *Paris*, of the 17*th* Current, *N. S.* that Madame *Colbert* was to go to her Husband at *Char-*

Charleville very ſpeedily; yet the Gazettes of this Country give it out for certain, that the Ambaſſadors are call'd back to *Paris*.

M. *Beverning* told me on *Thurſday*, that the States of *Holland* having a Deſire to ſpeak with him about ſome Matters of Conſequence relating to that Province, that they thought him able to give Account of, had obtain'd Leave of the States General for him to take a Turn to the *Hague*; he ſays, his ſtay will be but of 8 or 10 Days. But M. *Haren*, as well as my ſelf, did tell him, his Return would not be ſo ſpeedy.

THEY could tell me no more of the Plenipotentiary expected from *Sweden*; but that it was a Commiſſary only, that was to come without any Character.

THE *German* Letters bring nothing new ſince the Death of the Empreſs: Thoſe from *Bruſſels*, repreſent the Ravage made in the Land of *Waes*, to have been exceeding great; and that *Condé* is the Place the *French* will begin with. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

Nimeguen 19th April, O. S. 1676.

Right Honourable SIR,

MY laſt was of the 15*th*; ſince which, I have not the Honour of any of yours come to Hand.

M. *Beverning* ſet out for the *Hague* this Morning, and hath taken his Lady along with him, tho' I left him otherwiſe reſolved as to his Lady's Journey laſt Night: This Morning's Letters have probably brought ſome Notice, that his Stay at the *Hague* is like to be longer than three or four Days, which was all he thought the States of *Holland* (upon whoſe Summons he takes the Journey) would require of him.

M. *Van Haren* and his Lady do diſcover ſomething of taking a Turn into *Frieſland*, when M. *Beverning* is come back hither.

IT ſeems to be M. *Beverning*'s Judgment, that notwithſtanding the *French* Ambaſſadors at *Charleville* do profeſs to ſend for their Servants and Horſes from hence, only that they may have the Uſe of them while they are confined there, and alſo that they may be in a better Readineſs to come forward, when the preſent Difficulties are removed, yet that they will be gone to *Paris*, as ſoon as their People that are here do come up to them.

HERE is a Deputation in a Readineſs, to go from this Province to wait on the Prince, on ſome Difference between them and the Governor of *Grave*, who would attempt ſomething which they like not, upon the Courſe of the *Meuſe*, for the Security of that Place. The two Princes of *Brandenburgh* are like to continue this Summer at *Cleves*; the Operator that treats the Electoral Prince, having certified his Electoral Highneſs, the Neceſſity of continuing the Courſe he is in at preſent. I am with all Truth and Reſpect.

L. Jenkins.

Nimeg.

Nimeg. 22 *April*, *O. S.* 1676.

Right Honourable SIR,

SINCE my laſt, which was of the 15*th*, I have the Honour of yours of the 14*th* Current; and therein a very particular Satisfaction, in that you are pleaſed not to diſapprove of my Excuſe to M. *Strasburgh.*

I took leave to tell you, SIR, ſome while ſince, that there appear'd in the *Dutch* Ambaſſadors Demeanour of late, a kind of Diſſatisfaction towards us. I am now apt to think, it proceeded from Sir *William Temple*'s denying to exchange the Paſſports between *Sweden* and theſe Allies; for it happen'd two Days ago, that M. *Van Haren* fell upon that Subject, and expreſſed a Wonder, and, in a Manner, a Diſcontent at the Thing. He ſaid, his Maſters were loath to do any Thing that ſhould ſhock the King our Maſter; yet that they could do no other, for the General Peace's Sake, than ſerve themſelves of another Way to exchange thoſe Paſſports.

I was by your ſpecial Favour furniſhed with his Majeſty's Reflexion upon this Affair at *New-market*; and I did, as near as I was able, anſwer him, and give an Account of Sir *William Temple*'s Reaſons, in the very ſame Words that Mr. *Secretary Coventry* had tranſmitted to your Honour: But he would not be ſatisfied, but his Majeſty was at Liberty, without any Prejudice to his Indifferency, to order the Exchange of Paſſports between ſuch of the Parties as had no Diſagreement about the Form of them, notwithſtanding that ſome or one of the Parties ſtuck, and could not go ſo far. He added, that there was the leſs Reaſon to entertain any Scruple or Fear of a ſeparate Treaty, becauſe it was undoubted that *Sweden* would never treat, nor was at Liberty to do it without *France.*

HE told me, that *Don Pedro de Ronquillo* was preparing to paſs over into *Flanders*, but that his Deſign was, to come thence to this Place as ſoon as might be, and that this comes from M. *Van Beuninghen* to the States.

THE Sieur *Van Beuninghen* hath, it ſeems, given the States ſome Expectation of a new Expedient to be propoſed from his Majeſty; the Ground for it, it ſeems, is no more, than that his Majeſty, two Days before his going to *New-market*, (and before M. *Van Beuninghen* had deliver'd in his laſt Memorial) gave him a general Intimation, that ſome other Expedient muſt be yet thought upon; but it is not ſaid, that his Majeſty (coming then from Council) deſcended to any Particulars with him, nor ſaid, that he had ſix'd his Thoughts upon any.

THE *French* Domeſticks do very much hearken after their Paſſes, to get them hence; and the rather, in that there is a Report ſpread here, that the Regiment of *Slanenburgh* having been in Garriſon here, and being upon their March in the *Meyery* of *Bolduc* to joyn their Army, is cut in Pieces by a Party of *French* out of *Maeſtricht*; which Party is ſaid to have moved upon Intelligence from theſe Domeſticks; but I am apt to believe there is no ſuch Thing; for then it would have made a bigger Noiſe in this Town.

HERE is News that General *Cops* hath attempted by Surprize to poſſeſs himſelf of *Ameland*, an Iſland under the Protection of the Province of *Friſe*, two Boats full of Soldiers being ſent down the *Weſer*, and round about to that Iſland; but thoſe upon the Iſle having ſome Know-

ledge,

ledge, at least Suspicion, of the Design, seized the Soldiers: It seems this was in Favour of some Pretender in Point of Right, against that Possessor who now enjoys it, under the Protection of *Friezland*; but 'tis thought the Emperor will disavow this Action of *Cops*.

I take Leave herewith to inclose a Copy of my Letter to the Prince of *Orange*'s Secretary, to desire a Passport for the *French* Domesticks: I address'd it to him by Sir *Richard Bulstrode*. I am with all Truth and Respect, *&c.*

L. Jenkins.

Wednesday, Nimeg. 26 *April, O.S.* 1676.

Right Honourable SIR,

SINCE my last, which was of *Saturday* the 22*th*, a Duplicate whereof goes here inclosed, I am made happy with yours of the 18*th* Current, with such Copies inclosed in it, that I have thereby the Honour of seeing his Majesty's Judgment upon the Resolution of these States, and upon M. *Van Beuninghen*'s Memorial relating to the Expedient; and I can never thank you as I ought for the Prospect and the Light you are pleased to give me in these Incidents of our common Commission on this Side.

IT is with the deepest Veneration possible that I look upon his Majesty's great Circumspection, in that he does not think fit to enter into any Discussion, much less to make any Judgment upon the Reasons *pro* or *con*, that the Parties in War shall see Cause to advance; and consequently, not to examine the Resolution or the Memorial, as to what may concern *France* or *Sweden* to answer; yet it is with Reason and Justice no less pressing on the other Side, that his Majesty takes Care to maintain the Candour and Impartiality of his own Proceedings, against those disingenuous Surmises in the States Resolution.

AND I am glad with all my Heart, that you have Occasion given you, SIR, to deposite with M. *Van Beuninghen* such Remarks, as may vindicate his Majesty in the several Steps he makes; for I am afraid his Majesty will meet with several such Rubs in the Progress of this Mediation; and we may see, (as I took Leave to hint to you, SIR, in some of my former Letters) how very small Matters are kept in deck in such Cases, by the Complaints which the *Dutch* make of the Partiality of the *Swedes* for *France*, when this State took Occasion to declare a War against *Sweden*.

M. *Beverning* is expected to return this Day out of *Holland*; if he does, M. *Van Haren* and his Lady will go to Morrow for *Frize*. Upon a Discourse we had yesterday, of a Report that the Congress was not to be here, but at *Aix la Chapelle*: He told me, he could not believe it, in Regard all the Allies have expresly accepted of this Place.

IF I understood him rightly, there is not much expected from the Siege of *Staden*, nor from that of *Philipsburgh*; for the utmost that will be done in either Place, for some Time, will be, to block them up. About *Staden* there will be the greater Difficulty, in that the Confederates are fallen off from the Adjustment made at the *Hague* about the Partage of those Conquests.

THE great View now seems to be, that the Confederates Army in the *Netherlands* being 70,000 strong, may be able to detach 30,000, that may enter *France*, while the rest do observe and make Head against the

the *French* Forces in *Flanders*. The like Impression is intended to be made in *Lorain*, by the *Imperial* Army under that Duke.

WHAT I told you, SIR, in my last of *Ameland*, is owned by M. *Van Haren*: He added, that the Lord, or, as he termed it, the Sovereign of *Ameland*, hath been in quiet Possession about 200 Years; that another of the same Lineage put up a Title about 40 Years ago, (having married the Heiress, that he contends this Seigneury ought of Right to have descended to, but that it has wrongfully, by Testament, been given away from her) and took Investiture for it from the Emperor: That this last Pretender, or some Descendant of his, hath conveyed his Title to the C. of *Coningseck*; and that this Attempt by *Cops* hath been made in Favour of him: That the *Imperial* Commissary was seized on, and is now Prisoner in the Island: That the Soldiers were, when the last Post came away, in their Boats before the Island, and the Islanders in Arms to oppose their Landing: That the Commissary's Commission and Papers were sent to the Prince. I humbly take Leave to send you a Duplicate of that Paper M. *Van Haren* sent me last Post-Day after I had seal'd up my Letter; he mentioned it to me yesterday as a Thing he hoped would have no Difficulty with his Most Christian Majesty, in Regard it is but for a young Gentleman, that having finished his Studies at *Geneva*, would come and spend some Money in *France*.

THE *French* Domesticks have had their Passports this Morning from the States General; now they expect others from the Governor of *Flanders*: They seem to say, they would get out of this Country as soon as they have those, and not stay for those of his Highness the Prince of *Orange*.

THIS is the 12*th* Day since the taking of *Conde*, yet we have no Particulars of it come to this Town; much less what is since become of the Armies. I am with all Truth and Respect, *&c.*

L. Jenkins.

Nimeguen, 29*th April*, 1676.

Right Honourable SIR,

THIS Morning brings me none of yours; I humbly take Leave to repeat the Acknowledgments I made in my last of *Wednesday* 26*th* Current, a Duplicate whereof goes herewith inclosed.

M. *Van Haren* parted hence very early on *Wednesday*, the Affairs of the *Land-acht* of the Country (as he hath left me Word by the Secretary of the Embassy) not suffering him to stay, as he intended, till he saw M. *Beverning* return'd: So that since *Wednesday*, I am here all alone. On *Thursday* the Baron de *Dyeten*, a great Landed Man in *Cleves*, as well as in this Province, told me, that News the Night before came to *Cleves*, that the Elector of *Brandenburgh* was fallen very dangerously ill of the Gout; some Remedies that he had used in order to remove a Fever he was in, having brought the Gout to his Throat.

M. *Steen-Huysen* Sieur *de Heumen*, who was Lieutenant General of the Horse in *de Witt*'s Time, and has a Regiment still in the Army, observed to me yesterday in Conversation, how himself and all the old Men of Experience (C. *Waldeck* only excepted) are laid aside; imputing the Want of Magazines, of Intelligence, *&c.* to the young Councils about the Prince; and 'tis visible, that those who have not had par-

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ticular Advantages upon the Prince's Establishment, are not much concerned for his good Success] *in Cypher.*

Sir, I perceive that his Majesty and Court are going into Mourning. I have Recourse to your usual Favour to me, for a Word of Direction what I am to do, suitable to my Post and Duty, and you will very highly oblige me, who am, *&c.*

L. Jenkins.

Nimeguen, 3d May, 1676.

Righ Honourable Sir,

SINCE my last, which was of *Saturday* the *29th* past, I have the Honour of two of yours, that of the *25th*, which came to hand the *30th;* and that of the *28th*, which this Morning's Ordinary brought to me, these being two Instances to be added to those very few which have happen'd, that your Letters have been delivered me the *5th* Day after their Writing.

That of the *28th*, bringing in it the joyful News, that his Majesty has so happily overcome the Difficulties about the *Lorain* Passports, I went immediately to rejoice upon it with M. *Beverning*, who return'd hither late on *Saturday* out of *Holland;* he express'd a great Joy at the News, and had already sent his Secretary about to publish it, and to give a special Part of it to the Ministers of this Town, that in their Devotion, (which happens to be very solemn to Morrow, in Regard it is *Ascension-Day*) Publick Thanks may be given in the several Churches, for the present Prospect and Hopes they have of a Peace; in Regard there is no doubt now made (for this Day's Letters from the *Hague* are full of it) but the Assembly will be formed in a very short Time.

This happens to be so much the more seasonable here, in Regard of a great Anguish and Fright this Town has been under these 3 or 4 Days; a Party out of *Maestricht* having fallen into the *Maes-Walt* in our Neighbourhood, and done the Executions which are usual, where the Contributions are behind.

The Party was of 600 Horse, as many Dragoons, 200 Firelocks, with 5 Pieces of Cannon, the ordinary *Attirail* of Grenadoes and Flambeaux to put the Country on Fire. The Commander was M. *de Calvo*, who had been Lieutenant *du Roy* at *Arncheim*, when the *French* were Masters here.

On *Friday*, *Saturday*, and *Sunday*, they here hearing that Troops were at *Genep*, (which is not above 3 Hours off) flatter'd themselves they were sometimes *Lunenburghers*, sometimes the Duke of *Newburgh's* Troops going to joyn the Army in *Flanders*, till they were come along the *Meuse* as low as *Meok*, which is just overagainst this Town, and began to enter and ravage in the *Maes-Walt*.

On *Sunday* about 9 at Night, M. *Beverning*, who had been gone from me about 2 Hours before, knowing nothing who those Troops were, or whereabouts they marched, came to me, together with as many of the Nobility and of the Magistrates that are now in Town and in Office, desiring (as they were pleased to word it) I would give them my Help, now the *French* were within an Hour and a little more of this Place, carrying on Military Execution in the Country, for not having come in, as they had been summoned about 5 Months ago, and made their Composition at *Maestricht*.

Having represented to them, and taken M. *Beverning* to witness, how the Neutrality has been only talk'd of hitherto, but stood unascertain'd and unadjusted, as to the Extent and Limits; I told them, I would go as near the Wind as the Thing would bear to serve them; and having drawn the rough Draught of the Letter that goes herewith to the Commander, in M. *Beverning*'s Presence, he was pleased to acknowledge there could no more be said, nor desired from me: I caused it to be fairly written forthwith, and sent it by a Gentleman with a Trumpet to find out M. *Calvo*.

It was Noon on *Monday* before he could overtake him, for he was got as low as *Maes-Bommel*, a very fair Village about 4 Hours hence below *Battenbourg*, where he had left his Foot and Cannon upon the *Meuse* Side. He received the Gentleman very civilly, while at the same Time he treated the Baron *de Dyeten*, great Bayliff of *Cleves*, and another, very coarsely, that had come from *Cleves* to adjust their Composition with him.

He writ the Answer that goes likewise here inclosed, where, I doubt not, you will please to observe, Sir, that he wilfully mistakes my Letter, as if I had affirmed the Most Christian King had accorded a Neutrality to this Town and its *Environs*; whereas I said no more, but that upon our Master's Care to obtain from both Parties, that a Neutrality should be established for some convenient Distance about this Town, the Most Christian King had given his Consent thereto, but that the Extent and Limits were not yet settled; and for his Compliment, that forsooth in Consideration of me, he would not come within two Leagues of us. You will remember, Sir, that the last Overture from *France* was, that 2 Leagues *à la ronde* would be sufficient; so that his Instructions had, I doubt not, a special Regard to that Overture and Limitation of the Most Christian King: However, so far he was as good as his Word, for he has not burnt or ruin'd any within the District, or peculiar Dependencies of *Nimeguen*, which is about 2 Leagues round.

Yesterday in the Afternoon, the Nobility and Magistrates sent to me to take an Hour, and came in a Body to desire their most humble Duty and Thanks might be presented to his Majesty, the Mention of his Name and Royal Mediation having so far wrought with M. *Calvo*, that he fired no Houses after he received my Letter; and that he was withdrawn out of the Country without any Hostages taken up, or Composition made, that they could yet hear of. What these Gentlemen have done of their own Heads, M. *Beverning* will not seem to know; yet I have Cause to believe, they have sent *Calvo* a Present for himself, and have desired Letters of safe Conduct for such as they shall depute to *Maestricht* to agree their Contributions.

The Particulars of the Damages they could not tell me yesterday; I sent to them this Morning, but they have not yet any perfect Account; six Villages in the *Maes-Walt* they reckon to have been fired, but those however not so destroy'd as *Maes-Bommel*, where there was no House unfired, but that which M. *Calvo* was in; some Gentlemens Houses, one of this Town, *Vander Meulin*'s, wholly burnt down; but in this there is commonly some Ingredient of private Malice of the Guides, and the Correspondents.

I had almost forgot to tell you, Sir, that the Terror was no less in the *Pais de Cleves*; the Prince Elector and his Brother, together with Prince *Maurice*, (the Governour there for the Elector) and M. *le Baron de Schwerin*, were retired on *Friday*, as far as I can learn, to *Schenkschans*;

ſchans; and I ſuppoſe they remain there ſtill, *Cleves* being a moſt indefenſible Town, and but the Shadow of a Garriſon in it.

It's ſo with us here, there being not above 600, all new rais'd Men, and about 400 at *Grave*, but not one Troop of Horſe, which *Calvo* ſaid they knew very well, in all the Seven Provinces. You will imagine, Sir, what Murmurs and Clamours too this begets here, and the rather, in that the Prince did forbid the *Maes-Walt* Men to take Notice of the Summons, or go to make their Compoſition about five Months ago at *Maeſtricht*.

This Matter of Compoſition makes me beg Leave to lay before you, Sir, by way of Query, what will be the Damage to the Neutrality, and Conſequence to the Aſſembly, in caſe the Townſmen ſhould make any upon this Occaſion with the *French*; for tho' the Country do promiſe, yet 'tis certain they will not be brought to pay their Money, if they have Hopes to be ſhelter'd from Fire and Sword by the Neutrality; tho' *France*, on the other Side, having Right, by theſe Mens Engagement, to levy the Contributions, will hardly be able to do it, without at the ſame Time violating the Neutrality; ſo that I humbly conceive his Majeſty will find it neceſſary, for ſecuring the Aſſembly in all Freedom and Peace, to obtain from the Moſt Chriſtian King a Renunciation of all Title to Compoſition or Arrear from within that Extent where the Neutrality ſhall be eſtabliſhed.

The News of the Aſſembly being as good as formed, and that a Detachment of 15000 *French* is ſent from the Army in *Flanders* to that of *Alſatia*, rejoyces this Town extreamly this Day; for they conclude that the ſending away the Detachment, is an Argument there will be no ſuch Propenſion afterwards in the *French* to a general Combat, and that no great Siege will, after *Bouchain* is over, be attempted.

L. Jenkins.

Since my cloſing this, I have another Deputation from the Nobility and the Town, to congratulate with me for his Majeſty's happy Succeſs about the Paſſports, and his happy opening of the Way to an Aſſembly and a Treaty, which is ſo much the Hopes and the Intereſts of this Place.

The *French* have gone over the *Meuſe*, fording it near *Genep*.

Nimeguen 6th May, O. S. 1676.

Right Honourable Sir,

I Have not, nor indeed did I expect the Honour of any from you this Morning, having received yours of the 28*th* paſt on *Wedneſday* the 3 *d*, which was the Date of my laſt, and gives you a tedious Account (the Duplicate of which I take Leave here to incloſe) of the Irruptions of the *French* into the *Maes-Walt*.

I have no Particulars to add, for tho' the Burgomaſter *Fagel* hath promiſed me a Copy of what Account ſhould come of the Damages and other Matters to his Hands, yet he told me laſt Night, that the Informations this Government had given Order to be taken upon the ſeveral Places, were not yet returned and come to Hand. M. *Beverning* returning me the Viſit I had made him, upon Occaſion of his Majeſty's happy Succeſs about the *Lorain* Paſſports, did propoſe to me, that he and I ſhould take a View together (as we did yeſterday in the After-

noon) of the Statdt-Houſe here, in Order to ſee what may be fit to be done or alter'd there, for the better Conveniencies of the Aſſembly in their Conferences.

M. *Fagel*, who aſſiſted us, promiſed to get a Plan drawn of the Building and Avenues: The Building will afford ſeveral good Rooms, as good or rather better than thoſe of the *Carmes* at *Cologn*. The Streets about it are narrow, but there are two broad Places within a few Paces, of each Side of the Entrance to it; where the Miniſters may alight, and the Coaches may ſtand and wait.

M. *Fagel* brought us to ſee ſome Rooms in the old Caſtle of this Town, and to ſee two Churches that have been the one of *Franciſcans*, the other of Canons Regular. But thoſe Places afford nothing of Conveniencies comparable to the Stadt-Houſe.

M. *Beverning*, in his Viſit on *Thurſday*, was pleaſed to mind me of what the Mediators ought to do in diſpoſing the adverſe Parties to viſit each other, at leaſtwiſe at their firſt coming. The *French* Ambaſſadors were, ſaid he, before the Arrival of the *Dutch*, at *Cologn*. Theſe laſt had reſolved, in a Manner, not to notify their coming to the *French*, as pretending no Viſit from them; but the Mediators perſwaded them to do it, upon Aſſurance from Count *Tott* that the *French* would viſit them.

Now the Tables are ſo far turn'd, that it will be the Part of the *French*, to notify their Arrival to the *Dutch* Ambaſſadors; and if they do, the *Dutch*, he ſaid, will be ſure to give them the firſt Viſit.

M. *Beverning* asked me yeſterday, whether any had been with me from the Nobles and the Town, deſiring their Caſe and their Loſſes may be (as many of them as had Eſtates in the *Maes-Walt*) repreſented to his Majeſty; and that in Regard, the *French* Troops do threaten to be here very ſuddenly again; and that this Place will be very ill ſerved, unleſs the *Païs de Maes-Walt*, as well as the Diſtrict of *Nimeguen*, be exempt from Contributions, as well as ſecure from Hoſtilities; he added, that it was his Advice to them, to make this Addreſs to me: Having not ſeen or heard from them, I had no more to ſay, than that if they expected I ſhould ſerve them, in conveying any Deſires as ſuits of theirs to his Majeſty, he, as well as they, would judge it reaſonable, that their Requeſt ſhould be firſt put into Writing; and that therein due Conſideration ſhould be had, that nothing ſhould be ask'd of his Majeſty, but what comes naturally and directly within the Functions of a Mediator.

M. *Beverning* told me, he had heard it from M. *Van Tromp* himſelf, that M. *Griffenfelt* had directed him to take his Way for *Denmark* by Land by *Hamburgh*; and yet had ſo order'd it, that he was to have been ſurprized by thoſe of *Staden*, and ſent into *Sweden*; that of nine or ten Letters that M. *Guldenlew* had writ to the King, he had had no Account. M. *Beverning*'s laſt Journey into *Holland*, was upon the Account of his being one of the Curators of the Univerſity of *Leyden*. There is like to be a great Schiſm there, between the Writers in Theology, as well as thoſe in Philoſophy: He bemoans much the Want of Epiſcopal Conſtitutions, and of ſuch an Authority in this Country; as the Biſhops have in *England*. The Number of Students at *Leyden*, is 3600 at this Time. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

SIR,

S I R,

SINCE the Writing of that which is above, and indeed since the sending it to the Post House, there came to me a Deputation of Gentlemen from the *Maes-Walt*, and delivered me this Memorial, which I take leave to enclose. They were indeed more particular in their Discourse of that they had to request of me, than they are in this Memorial; for they proposed to me, that I would write to the Ambassadors at *Charleville*, and likewise to M. *d' Estrade*, that all Hostilities might cease in the *Maes-Walt*, till the Bounds of the Neutrality might be ascertain'd. I told them, that if the second Execution be to be made within 8 Days after the first, my Letters cannot possibly come Time enough to Hand, to work any such Effect; and that tho' the King my Master had made a Proposition at the first Hopes of a Congress here, to take in the whole *Maes-Walt*, yet that *France* could not be brought to accord any more than *deux lieues à la ronde*; which the States General not then accepting, I fear'd, as I told them, there would be a Difficulty to obtain it now.

I did not promise them I would write either to *Charleville* or *Maestricht*, but promised them to send back for my Letter to the Posthouse, (if it were not gone) and to send away the Memorial enclosed, which I most humbly beseech you, S I R, to lay before his Majesty.

THE two material Things they say in it, I take to be very true: The one, that the Sustenance of this Town, and the Supply of this Market, is mostly drawn from that Country: The other Thing is, that they have had no Summons in the usual Form from the Intendant, to come to *Maestricht* to make their Composition; and whereof I think I gave you, S I R, a Touch soon after my coming hither, being only *Brandt-Brieven*, (as they call them) not serv'd upon any Person, nor subscrib'd with any Name; and that the Confidence they had, that this Country would be Neuter (having heard that his Majesty had made such a Proposition) made them to be less careful upon their Defence, and the less heedful of the Summons.

UPON the whole Matter, and having considered his Majesty's Instructions about the Neutrality, I think it my Duty to write both to *Charleville* and *Maestricht*, to desire the second Execution may be suspended for some Time; upon this Ground, that the Nobility and the Town having taken upon them to evince to his Majesty, that there is a Necessity of making the whole *Maes-Walt* Neuter, for the Subsistance of the Assembly, and having put their Reasons into my Hands, to be conveyed and represented to his Majesty; it is but fair, that further Execution should be staid, till his Majesty's Reflexions upon the Reasons and Memorial, and his gracious Pleasure to me, be known, in Regard that it is possible his Majesty may, upon this Representation, think fit to revive his Proposition touching a Neuter Country, in the same Extent he was pleased at first to make it; and may have such good Reasons as may prevail with the Most Christian King to accord it.

L. Jenkins.

Wed-

Wednesday, Nimeg. 10*th May, O. S.* 1676.

Right Honourable SIR,

THIS Morning I had the Honour of yours of the 5*th* Current, together with the usual Favour of several Duplicates, which I acknowledge with all Thanks possible. I shall forthwith apply my self to obey your Commands, in reviewing those Letters I have formerly troubled you with, and in giving you a Scheme of the Points, wherein your Direction may be necessary for our better Government here.

IN my last, which was of the sixth, I inclosed a Memorial, that the Gentlemen interested in the *Macs-Walt* came and delivered me, after I had sent my Letter to the Post. It was my Opinion then, (as I told your Honour in my *Postscript*) that I might and ought to do more, in Pursuance of the Request they made to me by Word of Mouth, than I thought convenient to undertake and promise to them at that Time; but upon second Thoughts, I have forborn to write either to *Maestricht* or *Charleville*, tho' I had prepared my Letters, as you will find, by a Copy of what I intended for the *French* Ambassadors.

MY Reason was, I found M. *d'Amerongben* come from the States General, to encourage, or rather to enjoyn this People, not to compound for their Contribution; and that this Government was entring into a Deliberation, if not a Concert, with Prince *Maurice*, the Governour of *Cleves*, to form and bring together a Force, that might oppose itself to any Irruption or Attempt of the *French* for the future.

THIS being so, I easily concluded no Letter of mine could do good, since the *French* cannot be ignorant of these Preparations; but I was not sure, but a Surmise might have been rais'd upon this Letter of mine, that I had been wrought upon by this People, to endeavour to bring the *French* into an Amusement, whilst they on their Side were making themselves ready to oppose the bringing of the Country under Contributions by open Force; tho' I cannot imagine the *French* will undertake another March of 30 Leagues from their Garrison, *pour amasser des coiquilles*, as M. *Calvo* said, he did not come so far for trifling Purposes, when the Deputies of *Cleves* were waiting on him, and endeavouring to smooth him with good Words.

HOWEVER, my Writing or not Writing does not make the Thing the less entire before his Majesty, to form his Proposition as he in his Royal Wisdom shall see good, for the extending and ascertaining of the Bounds of the Neuter Country; only I do most humbly say, that his Majesty's first Proposition of taking in all between the *Maes* and *Walt*, is most indisputably clear and practicable, the Bounds and Limits being so known, that here can be no Chicane upon them; whereas if the Neutrality be reduced to two Leagues about this Place, there must be first an Agreement, whether they shall be understood to be *French*, or else this Country Leagues; and none will think himself in Security till those Leagues be measured by Consent, and set out by a Line; and when our Neuter Country is thus ascertain'd, and mark'd out, the *French*, when they have any Demands to make, or Executions to act upon that Part of the *Macs-Walt*, which shall be without our Limits, will be necessitated to pass within less than two Leagues of this Place, (for we cannot imagine they can ford or ferry over the *Meuse* below us without Danger) and consequently the Fright and Damage that must needs attend their March upon such an Occasion, will be Matter of perpetual Clamour; and

that

that Space which shall be desired to be Neuter, will hardly be thought and esteemed to be so by the Confederates, especially if they should have less Mind to treat than the other Side.

One Thing more there is, that may possibly render his Majesty's first Project easier to be received; it is, that many, if not most of the Nobility living in this Town hitherto, and having let their Houses to the Foreign Ministers that are to come hither, will be forced, when the Assembly comes to be formed, to take up in little Cabanes within the Walls, since they will not be able to retire with Safety to the Country Houses they have in the *Macs-Walt*, at a further Distance than two Leagues off; which they had flatter'd themselves would be comprehended within the Neutrality: This I take to be the Case of the *French* Ambassadors Landlord, and I am sure had been the Case of one of the *Spanish* Ambassadors Landlords too, but that his House was burnt in the late Ravage: But 'tis not the Case either of Sir *William Temple's* Landlord or mine: Nor have I thus enlarged upon this Subject, upon any Acquaintance or private Regard that might move me to wish this Thing, but meerly and only that my most gracious Master may be entitled to the Prayers and Returns due to his good Offices, and his Charity that is most extensive.

The Intendant of M. *Colbert* having observed that I went on with some Enlargements that I had begun about my Stables and House, which I had left off when the Matter of Passports was grown desperate, as he and others had done, was very inquisitive whether I had sent (as in Truth I did send, the very Day we had the News that his Majesty had prevailed for, and received the *Lorain* Passports in Form) for the rest of my Equipage out of *England*; telling the Gentleman he spoke with, that his Master at *Charleville* was not like to stir, till it was known what Answer the Confederates would give upon his Most Christian Majesty's having granted the Passports; I do not well know what he means, nor why they do not now go on (this being the 18*th* Day since the Passports were signed) with the Stables they had left half covered and half uncovered.

I take Leave to inclose a Scheme of our Stadthouse here, and to subscribe myself with all Truth and Respect, &c.

L. Jenkins.

Postscript.

The inclosed from M. *l'Ev.* and Prince *de Strasburgh*, will let you see I have a kind of Absolution from him for my last Rudeness.

Sir, you are pleased to take Notice of two Letters of mine in your last, *viz.* of the 22*th* and 29*th* past. I shall humbly take Leave to tell you, there was one sent on *Wednesday* the 26*th*, between them two. In that of the 29*th*, I had a little Petition, that you would please to favour me with your Directions, what my Duty is to do here as to Mourning, his Majesty and Court I understand being now in Mourning.

Saturday, *Nimeguen*, 13*th* of *May*, *O. S.* 1676.

Right Honourable Sir,

My last was of *Wednesday* the 10*th*, whereof I take Leave to inclose the Duplicate: Since I have none of yours, nor indeed hope for any this Morning, being already, since *Wednesday*, possessed of the Honour

Honour of that you were pleaſed to write me of the 5*th* Current.

THERE is more of Diſcourſe and Expectation here about the Neuter Country, and about the Bounds that his Majeſty ſhall pleaſe to endeavour to get aſcertain'd for it, than there is of the Aſſembly and Peace itſelf, every body that is in any wiſe concerned, promiſing himſelf that his Majeſty will not go leſs than his firſt Project, of gaining all that is between the *Waal* and the *Meuſe*, and that the *Foſſa Mariana* will be the Line Eaſtward between the two Rivers, otherwiſe there will be perpetual Brabbles about the Limits, and that it will hardly be poſſible to adjuſt the Contributions.

YESTERDAY the Baron of *Watchtendonck*, a Landed Gentleman within the Land of *Cleves*, but ſo near us here, that his whole Eſtate is (as he ſays) within 2 Leagues of this City, came to me upon this Errand, being ſent, as he ſaid, by the Cœur Prince of *Brandenburgh*, and by the States of *Cleves*. His main Buſineſs was, to implore his Majeſty's Grace and Protection to that Country, when he ſhould be pleaſed to apply himſelf to the aſcertaining of the Neuter Country within known Bounds and Limits; which would be, he ſaid, an Obligation that the Cœur Prince would think himſelf, as well as the Elector his Father, bound to acknowledge with all Thanks poſſible.

THIS Subject he did much enlarge upon, (being an underſtanding Gentleman) from the Inconveniencies that would unavoidably befal this Aſſembly in their Subſiſtance here, if thoſe that are to ſupply this Market might not be *à couvert* from the Impoſitions and Hoſtilities of the *French*; inſiſting earneſtly how much it would be for his Majeſty's Honour to make this Proviſion, for the Eaſe of the Aſſembly, and the diſcharging of a Country from thoſe Burthens, that will be ſure to ruin it in a ſhort Time.

THE other Branch of his Buſineſs, and which he was very preſſing in, was to deſire me to write to M. the Mareſchal *d'Eſtrades*, 1. Not to put in Execution what was lately threaten'd ſhould be acted upon the Deputies of *Cleves*; which was, that they ſhould be laid up as cloſe Priſoners, unleſs they would adjuſt their Contributions without further Delay. 2. Not to proceed to the ſettling the Contribution, till his Majeſty ſhall have ſettled the Bounds of the Neuter Country.

IN both theſe Things I excuſed myſelf, as being foreign to my Commiſſion, and promiſed him no more, but that I would by this Day's Poſt give his Majeſty (by your Favour, SIR,) an Account of the Deſires of the Cœur Prince and the States, that this Country might be taken into the Neutrality. 2. That if at any Time before the Bounds were ſettled, there ſhould be any Deſign from *Maeſtricht* to execute on the Country, I would, if I ſhould come to hear of it, endeavour all I could poſſibly, by Offices and Inſtances, to prevent it, as I did in the *Maes-Walt*, as ſoon as I came to hear of it; he brought the Letter incloſed from M. *de Schwerin* to me, to which I returned the incloſed Anſwer by him.

THEY of *Cleves* have no Thoughts of defending themſelves againſt the *French*, therefore there was a Miſtake in my laſt; for Prince *Maurice* does not enter into Meaſures with this Government of *Gueldres*, as he is Governour of *Cleves*, but as he is eldeſt Mareſchal of the States General. One Thing ſeems hard in their Caſe, they compounded laſt Year with M. *de Louvoy* for 80,000 Crowns; and tho' they then were forced to ſubmit to 10,000 Crowns more by Way of Penalty, for ſuffering Proceedings againſt them to run on too far; yet M. *de Louvoy* writ down in the Agreement with his own Hand, that the Payment of this

laſt

laſt Sum ſhould not be drawn into Conſequence; but now the Intendant ſtands upon 190,000 Crowns, for that *Juliers* has compounded for that Sum, and *Cleves* is always taxed at the ſame Rate with *Juliers* in the Matricule of the Empire: Whereas this Iniquity of the *Imperial* Dyets hath been always proteſted againſt by *Cleves*; and *Juliers* is a Country well peopled, and fertile Ground all over; this of *Cleves* is a great deal of it waſt Ground, and wild Wood, and very thin peopled. This Gentleman took Leave of me with this earneſt Requeſt, that in caſe any Part of this Country muſt remain ſtill under Contribution, while the other Part is ſheltered under his Majeſty's Protection, that his Majeſty would be graciouſly pleaſed to intercede, that the Part which ſhall remain under Contribution may not pay more than its juſt Quota, becauſe the other Part hath the good Luck to be exempted.

M. *Beverning* had been with me the Day before, and was all upon this Subject, as far as it relates to this Dutchy. He was very particular in telling me what Proviſions of Fuel and Horſemeat he had already made, and did intend to make, for 8 or 10 Months, concluding there will be great Scarcity of all Things here; and ſaying, he had procured for himſelf a Warrant from the States General, requiring all Perſons to be furniſhing and aiding to him *en payant* all Things neceſſary, with Power of Compulſion.

M. *Van Haren* will not be back theſe three Weeks. Here is a Perſon in Town hiring Lodgings for M. *Heugh*, the *Daniſh* Miniſter; and I do from Day to Day expect the Arrival of an Officer, that my Lord *Berkley* hath diſpatch'd hither, in order to hire him an Houſe. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

Nimeguen, 17*th May*, 1676.

Right Honourable SIR,

MY laſt was of *Saturday* the 13*th*, the Duplicate whereof I take Leave herewith to annex. I have this Morning the Honour of yours of the 12*th* Current, with your uſual Favour of ſeveral Duplicates. It is with a very ſincere Joy, that I receive the News you give me, of his Majeſty's having condeſcended to admit (if need be) of a Temperament in the Matter of the firſt Viſits. If his Majeſty do find it convenient we ſhould not ſtand upon that Point, becauſe ſome of them are not like to give into it, I humbly ſubmit to Conſideration, whether the *French* Ambaſſadors ſhould not have ſome Hint that it is not expected from them; and the *Dutch* Ambaſſadors ſome Apology made to them, for that it was inſiſted upon at their firſt coming. I humbly take Leave here to incloſe a Note of what yours of the 5*th* (which came to my Hand this Day ſevennight) ſeems to deſire from hence.

ONE Thing I ſhall humbly beg you would at your Leiſure and Converſation with M. *Sparr* think of; it is, how he and his Collegues at *Cologn* govern'd themſelves as to the *Pas* in 3*d* Places towards the *Imperial* Ambaſſadors, as alſo how they did for the Hand, and the Reception in their own Houſes, to the Miniſters of Electors, and other Princes of the Empire.

THIS Morning Prince *Maurice*, the Governour of *Cleves*, favoured me with a Viſit. He profeſſed very great Obligations to, and Devotion for his Majeſty, enjoining me not to fail in the conveying of his moſt

humble Reſpects and Obedience to his Majeſty. He is here by the Prince's Order, (as he was pleaſed to tell me) to diſtribute Commiſſions, for the raiſing and drawing together of Forces, for the Defence of this Country: There will be 80 Companies quickly got together in this Place. It is reported he had exchanged the Government he hath of *Utrecht*, for that of the C. *de Solms* in this Province; but that is not ſo, he acts only as Mareſchal of this State, and diſtributes Commiſſions by the Prince's Authority. He told me, the Mareſchal *d'Eſtrades* was to come one of the Plenipotentiaries hither.

THE *French* were two Days ago in *Raveſtein*, eſtabliſhing the Contributions upon the Duke of *Newburgh*'s Subjects there.

THE *French* Domeſticks have not hitherto entered upon the making of any Manner of Preparations for the accommodating of their Maſters, neither do they own to know any Thing of the Time they intend to be here. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

WHAT the Prince told me of M. *d'Eſtrades* coming hither, is ſince confirmed by M. *Colbert*'s Intendant.

I beg your Pardon, SIR, that I take the Boldneſs to put a Letter to my Lord Biſhop of *Oxford* under the Protection of your Cover; 'tis of ſome Moment to both of us.

Saturday, Nimeguen 20th May 1676.

Right Honourable SIR,

IN my laſt, which was of *Wedneſday* the 17*th*, I did give you my Acknowledgements of the Honour of yours of the 12*th*. This Morning brings me none out of *England*, and this Place affords nothing worth your Knowledge, ſo that I have little Trouble to give you, beſides the Duplicate of my laſt.

You will have known ere this, the Nomination of M. *d'Eſtrades* in the Duke *de Vitry*'s Place: We know nothing yet of the Time he and his Collegues are like to be here: The *French* Domeſticks here owning nothing of any Orders to prepare for their Maſters Coming, nor know of any that is come, or ſent to, to prepare for M. *d'Eſtrades*: Yet M. *Beverning* tells me, he ſaw a Letter writ by M. *d'Eſtrades* himſelf, that he was making ready his Equipage with all Diligence poſſible, and would be here ſooner than was expected.

M. *Beverning* could tell me nothing of M. *Haren*'s Return hither from *Frieſland*. I perceive the marching of the Duke of *Lorain*, and the leaving of *Philipsburgh* to the Circle Men to carry on the Siege, is a Matter of ſome Wonder on this Side; tho' M. *Beverning* will conclude nothing againſt the Conduct of that Duke.

LAST Night late arrived here Mr. *Clerke*, one of my Lord *Berkley*'s Secretaries, in order to hire him a Houſe, and to prepare for his coming hither. He was 16 Days in the Way, tho' he met with no Stop. He paſſed *Sunday* ſevennight through *Charleville*: The Ambaſſadors there had then heard nothing of their Paſſports being ſent to *Maeſtricht*, but were in Expectation of them; and were in Readineſs, having hired five Boats to imbark themſelves, and all their Train and Baggage upon the *Meuſe*. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

Wedneſday,

Wednesday, Nimeg. 24*th May*, 1676.

Right Honourable Sir,

SINCE my last, which was of *Saturday* the 20*th*, I have the Honour of yours of the 16*th*, and therein his Majesty's Royal Pleasure and Reflexions touching the first Visits, which I receive with all the joyful Submission imaginable. The Rule and Practice at *Munster* (which *Don Pedro Ronquillo* refers himself to) would have been clear against us, and the Historian I have, which is *Victorio Siri*, laying down for an express Remark, that the *Venetian* Ambassador had no Manner of Prerogative, (the Pope's Nuncio was already in Possession of all he could desire) in virtue of his Function of Mediator.

I humbly offer to Consideration, what we are to do as to the *Pas*, and the Hand, if we should meet the Emperor's Ambassadors in any 3*d* Place; as to other crowned Heads, our Duty is plain, (as having the Honour to be his Majesty's Ambassadors) not to suffer the Ministers of any to gain any Thing of us in these Points.

Another Thing I took Leave to hint in my last upon this Occasion is, whether there should not be some little Account, or Compliment, given to the *Dutch* Ambassadors, seeing this Respect hath been insisted upon, and they gave into it.

I thank you, Sir, most humbly, for the Copy you have been pleased to send me, of the States Resolution upon the Exchange of the Passports; what they desire for the Duke of *Newburgh*'s Ministers, and for the Reciprocation of Clauses, is but Reason for them to offer to his Majesty, and to expect from *France*.

But I cannot by any Means understand their declaring, that those Clauses shall be in their Passports, *sans aucun effet*, till *France* do furnish them with the like; should not Messieurs *Colbert* and *d'Avaux*, coming hither upon the Publick Faith of those Passports, be safe here while they stay? Should they not go back again, if they have a Mind to it, tho' *France* should, which is not to be imagin'd, either differ or refuse the like Clauses of *repasser* and *sejourner* to the States and their Allies? sure they cannot be of that Mind.

Besides, the Words *repasser* and *sejourner* are Redundants in a Manner: These Words are incorporated in those for safe coming to the Place; and the Law of Nations, as well as common Honesty, abhors such Snares and Traps as the contrary Interpretation would make.

But that which weighs most with me is, that the Being and Validity of the Grant, which the States have made of these Passports, does in no wise depend upon a Reciprocation from *France*. The States, while the Passports were in their own Hands, might have demanded what Terms themselves pleased; but now they cannot, having let go the Passports; divide the Continuity, as it were, of one and the same their Act and Deed; it must be all good, or else 'tis all void. — If their Declaration can make void, suppose upon very good Reason, their Declaration will be no less operative (with their own Subjects, who are to see to the observing of the safe Conduct) when they declare upon a bad Reason, or upon none at all; and if this Doctrine of declaring upon Passports be allow'd, will there not be a Difficulty to perswade the *French* Ambassadors, that 'tis in virtue of the Passports they are here in Safety, and that none can justify the Violation of the safe Conduct?

M. *de Carriers* advises from *Maestricht*, that the Passports had been sent for *Charleville* on *Friday*, and would be delivered the Ambassadors on *Sunday* last in the Morning, ordering their Domesticks to make ready. The Domesticks came from *Charleville* hither upon the *Meuse* in seven Days; they think their Masters will not be much longer. I am with all Truth and Respect, *&c.*

L. Jenkins.

Saturday, Nimeg. 27*th May*, 1676.

Right Honourable Sir,

SINCE my last, which was of *Wednesday* the 24*th*, I have the Honour of yours of the 19*th* Current; and in it, a Copy (among other Things) of your large Letter of the same Date to Sir *William Temple*, which gives me a great Light into several Matters, for which you have my most humble Thanks.

The Conditions, I perceive, wherewith the Allies have thought fit to clog the Exchange of the Passports, have put his Majesty to a Trouble, which I wish heartily may not be spun out to any further Length.

As I was in my last of Opinion, so I am still under Correction, that the States and their Allies have taken a very inconvenient, if not unjustifiable Way, to come by their just Ends. All they must understand, the Unthought of Concern of the Duke of *Newburgh* to be grafted *Sur ce pié*, no less, nor otherwise, than the Reciprocations they demand.

For the Words —— *& que cette Resolution sera mise es mains, du Sieur Chevalier avant l' echange — avec Expression que les Allies, ne consentent à cet echange que sur ce pié* — I say the Words, *cette Resolution*, must equally relate to, and comprehend all the several Branches that follow the Words — *Il à esté areté*, in the Beginning of the Act; since the Word *Resolution* is not applied to any one of the Branches in particular; nor indeed made use of any where throughout the Act, but in the Close of all. Besides that the Words — *Extrâit du Registre des Estats*, &c. do fully imply, that 'tis but one Resolution, tho' taken in the several Branches, (for 'tis set down in the plural, as relating to all the Matter there entered) and consequently, that we cannot make a Difference or Distinction, till they themselves have made one, by a formal explanatory Act.

Since they did not think fit to detain the Passports till Satisfaction was had to their Demands, I think their proper Remedy had been to leave all to his Majesty's Offices; and if they should have received Answer from him, that *France*, for Instance, or *Sweden*, could not be prevailed with to satisfie their Demand, then, and in that Case, (which is scarce to be imagin'd) it would have been regular and honourable too for them to prefix a short Time to all Persons that should be here, or in their Way hither, upon the Faith of their Passports, to take notice at their Peril, that they recalled their Passports, and declared them to be of none Effect from such a Time forward.

The *French* Domesticks here do say, that they received Letters on *Wednesday* last from *Charleville*, dated the $\frac{20}{30}$*th* of *May*, whereby they find, the Passports were not yet come to Hand, but were expected within two Hours. That their Masters made Account to set out thence, as on *Friday* last, $\frac{25 \text{ May}}{4 \text{ June}}$ for this Place. They seem to believe, that M. *d' Estrades* will not come along with Messieurs *Colbert* and *D' Avaux*, and they in their Discourse give this Reason, for that he will not stir till he finds

finds the chief of the Embaſſy of *Spain* firſt arrived here, that he may be bound to give M. *d' Eſtrades*, and not M. *d' Eſtrades* to him, the firſt Viſit; and being told, that their giving the firſt Viſit to the *Spaniards* would be no Prejudice, ſince it would be in Conformity to a Rule univerſally eſtabliſhed: They replied, the *French* have Reaſon to pretend to the firſt Viſit, and to avoid the giving it, ſince they underſtood the chief *Imperial* Ambaſſador would not be here till laſt of all, that all Miniſters may be obliged to give him the firſt Viſit. What Ground theſe Domeſticks have to enter into ſuch Diſcourſes, I cannot yet learn, but this is their Talk. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

SIR,

THAT his Majeſty is pleaſed to propoſe to himſelf the gaining the Town of *Cleves*, to be compriſed within the Neutrality, is ſo much the more reaſonable in itſelf, as well as ſuitable to his Royal Goodneſs; as that if it ſhould pleaſe GOD, that this Town of *Nimeguen* ſhould prove to be leſs Healthy, becauſe of the Preſs of People, Narrowneſs (and I may add, Naſtineſs) of the Place in ſome Parts of it, and Heat of the Weather, there is no Place ſo convenient as *Cleves* for a Retreat for ſome Time; there being thoſe here that do maintain, that it the moſt capacious (as well as the moſt healthy) Place for ſuch an Aſſembly.

L. Jenkins.

Wedneſday, Nimeg. 31 *May*, 1676.

Right Honourable SIR,

MY laſt was of *Saturday* the 27*th*; ſince which, I have the Honour of yours of the 26*th* to acknowledge. To prevent repeating, I take leave to encloſe the Duplicate of my laſt; to which I have not any Thing to add at preſent.

WE are here in Expectation of the Arrival of the *French* Ambaſſadors very ſuddenly, tho' their Officers here have no certain Knowledge of their having left *Charleville*; the laſt Poſt of *Saturday* Night having, they ſay, brought them no Letters; however, they have had theſe three Days as many Hands at Work, as they have been able to get together, about their Stables, and making Partitions and Communications each with other.

I do not yet hear of any that are making any Preparations in any Kind for the *Imperial* or *Spaniſh* Miniſters; nor do I hear of any other moving this Way; for Sir *Edward Wood* adviſes me from *Sweden*, (whence I ſhould have hoped the firſt Advance to be made) that C. *Bent Oxenſtierne* (tho' he profeſſed himſelf in a Readineſs to embark in the *Dutch* Man of War, that brought M. *Mortaigne* thither with the Treaty of Commerce) was not like to leave *Sweden* before he ſhould hear this Place to be pretty full of Company. M. *d' Olivenkrantz*, (who was parted from *Sweden* the 26*th* of *April*) coming by the Way of *England* hither, you will be able to tell us more, SIR, than we ſhall know other where, of his Motion this Way.

M. *de Haren* is not yet returned from his Province: I hope he will about the Time of his Return receive ſome good Effects of your Offices, in Favour of his Kinſman, that deſires a Paſs to travel in *France*.

M.

M. *Beverning*, in his last Conversation, has very much bemoaned to me the Loss of M. *de Ruyter*; his Letter (it seems) to the States, was full of bitter Complaints of the *Spaniards* in that Action, but the States did not think fit to suffer all that was writ to be published.

The Want of the *Holland* Subsidies, as well as a good Understanding among themselves, is the Cause why the *Brunswick* and *Munster* Troops are not come upon the *Moselle* Side, according to the Concert agreed on at the *Hague*.

'Tis a great Joy to me to find, that his Majesty is pleased to resume those Thoughts he had of pursuing his Instances with the Emperor about Prince *William*; for I do humbly conceive that to be as necessary to the Treaty, as 'twill be a Favour to the Prince; for if such a Temperament cannot be obtained, as *France* will acquiesce in, *France* will make the Business of his Liberty a Kind of Preliminary Article to the rest of their Demands; just as they did the Liberty of the Elector of *Treves* in the Treaty of *Munster*: Then the Consequence will be, that we shall not be able to get either backwards or forwards till that single Point be settled; and it will spin the Treaty to an intolerable length, if the Parties should come to open their Pretensions by Piece-meal, and not advance all they have to demand at one and the same Time. Sir, it is with all humble Thanks possible, that I acknowledge the Countenance and Assistance you are pleased to give me, about the Furniture of my Chapel; and I most humbly beg the same to my Petition, depending before my Lord Treasurer, for my Share of our *Cologn* Arrears. God knows it, I would be content to wait with Patience, as you do, Sir, but being it is so, that the Tallies I have struck for a Quarter's Advance due the 13*th* of *March*, are not payable till the 19*th* of *September*, I have nothing, unless I may have that Arrear to support my Credit with my Merchants, for my Subsistance in this long Interval; and this gives me an Anguish not easily to be expressed. Sir, I most humbly beg your Pardon; nothing but a great Necessity would render me thus importunate, who am with so much Respect, and with all Truth, &c.

L. Jenkins.

Saturday, Nimeguen 3 *d June* 1676.

Right Honourable Sir,

The last I took leave to trouble you was, of *Wednesday* the 31*st* past, the Duplicate whereof goes herewith enclosed.

This Morning brought me the Honour of yours of the 30*th* past; and therein his Majesty's gracious Pleasure, that I should make my Apology to the *Dutch* Ambassadors, for putting them to the first Visit at there Arrival here. I sent to take an Hour, as soon as I received your Letter, and had that of the 11*th* given me; for I was resolved (in Regard 'tis certain the *French* Ambassadors are removed from *Charleville*, and that their Officers here do expect their Arrival within four or five Days) to acquaint M. *Beverning*, who is the only Ambassador now in Town, with his Majesty's last Orders to my Collegues and my self in the Matter of first Visits, with the Motives his Majesty might have for so doing; and to tell him, that as we were now to give the first Visit to those that shall arrive here after us. So we will be sure to do it to his Collegue M. *d'Odyike*, and to any other that shall come to this Place from the States.

This

This I would have adventured to do ſome Time this Day, by the by, of my own Head, but receiving the Honour of his Majeſty's Commands, I thought it my Duty to do it in a formal Audience, and to make my own Apology ſomething more expreſs, by ſhewing the Ambaſſadors, that as his Majeſty's firſt Orders did proceed, upon a Belief that he then had, and ſtill hath, that he is *en choit* to expect the ſame Treatment to his Miniſters from others, that he himſelf, after mature Deliberation, and upon a Concert with *France*, had given in to, at the Aſſembly at *Cologn*; ſo he does not depart from thoſe Orders at this Time, but in a great Tenderneſs to the Buſineſs of this Place, and upon a Perſwaſion his Majeſty hath, that he cannot do his own Rights any Prejudice, when he takes the Pains to prevent, and to *aller au devant* to every Thing that hath but a Poſſibility of introducing of any Queſtion, or Scruple, that ſhould retard his Proceedings in the Functions of his Mediatorſhip.

M. *Beverning* was not ill pleaſed with the Compliment, and did with a juſt Reſpect acknowledge this to be the Effect of a deep Foreſight, as well as great Generoſity in his Majeſty. What he did was, he ſaid, by Order of his Maſters, who are reſolved to have no Difficulty with crowned Heads in any ſuch Matters; their Buſineſs, he ſaid, was to watch the Electors, and other Princes, that pretend to Things they cannot allow them.

He had nothing, as he was pleaſed to tell me, of News, either from the Armies, or from the Allies that are to ſend Plenipotentiaries hither: He does not know whether M. *de Lyra* be in Commiſſion or not, nor who is like to come and appear here for *Spain*; only he believes, that when the *French* are arrived here, all others will haſten, tho' not ſo much of good Will, as out of Jealouſie of a ſeparate tampering between the *French* and this State.

He told me the Story of M. *Caprara*'s Letter, intercepted by the Moſt Chriſtian King, and ſent to the Prince of *Orange*, with an Intimation, that he might thereby ſee what Manner of Friends he was among. He ſaid the Letter was full of Villanies againſt his Highneſs and C. *Waldeck*. He complained likewiſe very much of the Embarraſs which the Emperor hath given them (at a Time ſo little ſeaſonable) about the Buſineſs of *Ameland*. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

After the ſealing of this, M. *Colbert*'s Intendant ſends me Word, he hath an Expreſs that ſays, the *French* Ambaſſadors being come to *Maeſtricht* on *Thurſday*, will be here to Morrow, or on *Monday* at fartheſt.

Monday, Nimeg. 5*th June*, 1676.

Right Honourable Sir,

In the Poſtſcript of my laſt, which was of *Saturday* the 3*d*, I hinted to you what I then knew of the Arrival of the *French* Ambaſſadors yeſterday: They arrived here about ſix in the Afternoon, and M. *d'Avaux* Ecuyer, in both their Names came to me with their Complement, in leſs than half an Hour after their Arrival.

I ſent a Gentleman within an Hour after, to return them my Complement, which he did at their ſeveral Houſes, demanding their Hour for me to give them my Viſit. M. *Colbert* aſſigned that of 11 this Morning,

Morning, with an *à quoy je ne pretens pas:* M. *d'Avaux* would prefix none, but expect me after my viſiting M. *Colbert*.

Having made my Complement to M. *Colbert*, 1. Upon his happy Arrival, as alſo upon the great Speed he had put himſelf to make. 2. Upon the good Augury that was to be taken from the Advances his Moſt Chriſtian Majeſty had made, in ſending them out ſo early, and in removing a Difficulty that was otherwiſe inſuperable. 3. Upon the Choice he had made of his Perſon, *&c.* with Offers of Service; he told me, after ſome Returns of Ceremony, that they had received Paſſports, three for the Duke of *Newburgh*'s Miniſters, and thoſe of the Emperor, and *Brandenburgh*, and theſe States; two for each, to be added to thoſe they have already.

I waited on M. *d'Avaux* as ſoon as I left M. *Colbert*, they told me M. *d'Eſtrades* would be here within 15 Days at furtheſt. M. *Colbert* ſpake much of Diſſatisfaction with the Houſe that had been taken for him, and of his Reſolution to get another.

He asked me, whether the *Pais Neutre* was yet ſettled, and what the Reaſons were that more was deſired than *deux lieües à la ronde*. He was in ſome Miſtake, in that he thought the taking of the whole *Maes-Walt* would be a conſiderable Diminution to the Contributions at *Maeſtricht*; for never was any paid out of the *Maes-Walt*, or the Diſtrict of *Nimeguen*.

In the Afternoon, M. *Mignon*, M. *Colbert*'s Secretary, brought me the Paſſports, and having charged myſelf to ſend them by Expreſs to Sir *William Temple*, I adventure, in ſome Hopes it may overtake the Pacquet Boat that goes off, as we compute here, on *Wedneſday* about Noon.

The Secretary demanded of me an Hour in the Name of both Ambaſſadors, that they might return me their Viſit; intimating, they would be glad to take it this Evening, to Morrow being Poſt-Day from *France*.

This Evening they came at ſix, and now are over (in a Manner) the giving and receiving the firſt Viſits; for the ſame Perſon that notified me, notified the *Dutch* Ambaſſadors of their Arrival; and the *Dutch* Ambaſſadors (for M. *Van Haren* came Home late laſt Night) gave them their Viſit this Afternoon at three; I ſuppoſe the *French* Ambaſſadors will not return it till to Morrow. The *Dutch* Ambaſſadors had 2 Coaches with 6 Horſes a-piece, ſo had I; they had but two Pages, I had three; a Misfortune being happened to two more that came over with me: They had fourteen Footmen, the Cook and Porter being ſaid to be amongſt them, I had but ten; only I do reckon it a little Advantage, that beſides Mr. *Chudleigh*, I had five young Gentlemen of Quality with me, beſides Secretaries, and ſuch other as made a good Appearance. The *French* Ambaſſadors made no great *façon* of it, for they came with one Coach and two Horſes. M. *Jamboneau* was obſerved to be the only Gentleman here in their Train; they had two more of their Officers in the Coach. M. *Colbert* did very much bemoan the Death of my Lord *George Hamilton*, which he had heard of at *Maeſtricht*, but did not allow that the *Imperialiſts* had had the Advantage that the Letters from *Cologn* (being Tranſcripts of one from the Duke of *Lorain*'s Camp) do mention, of having defeated the *Engliſh* with an entire Ruine.

This Night was the firſt Opportunity I had to ſpeak your Complement to M. *Van Haren*, he having been out of Town ever ſince you were pleaſed to charge yourſelf with procuring a Paſſport for his Nephew or Kinſman. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

Brouillon

Brouillon in English *of what I said to the* French *Ambassadors.*

IT is with the most sincere Joy than can be imagin'd, that I come to perform the *Devoirs* of this Visit, in Regard not only of the Happiness I promise to my self from the Honour of your Company in this Place, but also of the Satisfaction that the King my Master will have, nay, of the Joy that will spread itself over all *Europe*, to see the Temple of Peace thus opening, as it now is, by your Presence; and to see that your Errand here is, to bestow your Pains in this Assembly, to imploy your Credit with the Most Christian King, in order to restore *Christendom* to its Repose, and to satisfie the Prayers and Vows of so many People.

AND as the Business of this Place is of the greatest Importance that ever was treated off in any such Assembly, so we cannot but promise ourselves good Success from the Advances his Most Christian Majesty hath already made in it: *First*, In dispatching your Excellencies on your Way hither, above six Months ago, the first of any of the Parties engaged in the War. *Secondly*, In removing those Obstacles which retarded the forming of the Congress for some Time, and doing all himself, as it were, when no other Temperament would be admitted of; and then in ordering your Excellencies, as soon as those Obstacles were removed, to render yourselves here with so great a Diligence and Expedition.

BESIDES these Marks of his Most Christian Majesty's Propensions to Peace, he hath given one other most signal one, in the Choice which he hath made of your Excellencies Persons. All the World avowing, that your high Capacities, your great Merits, and long Experience considered, nothing could be more worthy of his Royal Discernment, than this Choice he hath made.

AND as the Zeal of the King my Master will suffer no Offices to be wanting on his Part, so my Duty leads me to offer your Excellencies all Service possible on mine: And tho' I am the meanest of all, and the most uncapable to be useful in any wise to your Excellencies, yet it will be from the Inclinations of my Heart, as well as from the *Devoirs* of my Commission, that I shall take Leave from Time to Time to offer your Excellencies my most humble Service, and to give you all the Proof I shall be able of my Obedience.

Wednesday, Nimeguen, 7th June, 1676.

Right Honourable SIR,

I Take Leave to inclose herewith the Duplicates of my two last, the one of *Saturday* the 3*d*, the other of *Monday* the 5*th*, by the Express I dispatched to the *Hague*, with the Passports from *France*, that the Ambassadors had put into my Hands.

THE Hast of dispatching away that Express, put it besides my Thoughts to keep any Copies of those Passes, for which I beg your Pardon, SIR; I hope that Fault will be supplied by Sir *William Temple*; sure I am that those for the *Brandenburgh* Ministers have the Word *Ambassadors* in them, so that that Objection is taken away. This Morning I have the Honour of yours of the 2*d* Current, and therein

the Honour of his Majeſty's Inſtructions, in ſeveral Points that will be Part of our Buſineſs here. I ſhall have ſomething in a Readineſs to offer to Sir *William Temple* when he comes: 1. Touching the Place of our Conferences, and the going in and out. 2. For the avoiding of Embarraſs in the narrow Streets, when Coaches do meet. 3. For the Publick Peace and good Order, and for eaſy living together; but I thought it impertinent to trouble your Honour, and much more the Ambaſſadors, with my Thoughts, till they have been firſt ſubmitted to his View and Correction.

THO' his Majeſty may happen to deſcend to approve ſome of thoſe ſmall Matters, as they come before him; yet I do not think them worth his Care, any further than is already directed about the Magiſtrates and their Sphere, according to the juſteſt and trueſt Meaſures in thoſe Caſes.

ONE Thing I ſhall humbly beg Leave to offer, as worth his Majeſty's weighing; it is, whether we ſhall not be enabled and directed, in his Majeſty's Name, *firſt*, to propoſe, that if there be Exceptions taken againſt Words in the *Plenipouvoirs*, (as more than probably there will be, whereby the Parties will be thought either to juſtify themſelves, or to *choque* others) then all Parties to procure *Plenipouvoirs*, according to a common Minute that we may lay before them: This, I ſay, in caſe there be any Exceptions taken on both Sides, the *French* and *Swedes*, or the Confederates otherwiſe, where there is but one Side in Fault, that to be moved to mend what is excepted againſt. 2. That till ſuch *Plenipouvoirs* can be had, the Parties would be content to go on in treating, in virtue of the conſtituting and enacting Part of each *Plenipouvoir*, the Mediators being firſt allowed by the Parties to declare that the firſt *Plenipouvoirs* are to be withdrawn, as ſoon as new ones, according to the common Minute, come; and that any Matters of Offence or Exception ſhall be taken, and reputed as never exhibited in the Treaty, nor written by the Parties. 3. That if in the very conſtituting and enabling Part, there ſhall not be (as it may happen) ſufficient Power to conclude, the Mediators may, by their Declaration, with the Conſent of all Parties, interpret and extend any defective Clauſe, ſo as the Party may not be excluded out of Conferences for want of ſufficient Power, but may appear and act in them, till he be furniſh'd as he ought.

IF ſuch Rubs come in our Way, ſome ſuch Expedients muſt be propoſed, or elſe there will be a great deal of Time loſt, which is the moſt valuable Thing that we are to contend for. I told you, SIR, in what Forwardneſs the *French* were on *Monday* in their Viſits; yeſterday in the Afternoon they returned their Viſit to the *Dutch* Ambaſſadors, and the ſame Afternoon made their Viſit of Ceremony to the *Dutch* Ambaſſadrices; and this Day the Ladies are in their firſt Viſit to Madam *Colbert*. I had the Honour yeſterday to pay her mine. I wrote by the Expreſs I ſent to the *Hague*, to deſire Sir *William Temple* to negotiate an Exchange between the Miniſters of *Lunenburgh*, who have a Houſe in an opener Air than that M. *Colbert* is in at preſent. I am with all Truth and Reſpect, &c.

L. Jenkins.

Nime-

Nimeguen, 10th June, O. S. 1676.

Right Honourable SIR,

IN my last, which was of *Wednesday* the 7*th*, the Duplicate whereof goes herewith, I gave you my Acknowledgments of the Honour of yours of the 2 *d* Current; since which I have none out of *England* come to hand.

THE *French* Ambassadors told me on *Thursday*, they had had Letters from M. *Pompone*, whereby they understood the King their Master to be willing and ready to supply the Words *repasser* and *sejourner* in all his Passports where they are wanting, upon Condition the same be supplied in the Passports his Ambassadors have from the Allies; and it was a Remark they made, that in those Passports they have been furnished with, those Words are wanting.

ANOTHER Thing was, that the King our Master having desisted from the Overtures he had made, to have a Power general to all Plenipotentiaries to send Couriers, and that expressed in their Passports, *France* did not insert the Clause about Couriers in the Passports, for that the Most Christian King does not desire that Benefit to his Ministers; and that he thus far denying himself, thinks none of the other Parties will insist upon it, in Regard none of them have the Disadvantage *France* hath; since the Letters of these Ambassadors are to pass through the Territories, first of this State, then those of *Spain*. A *third* Thing was, and that of most Difficulty, as they conceived, touching the Neuter-Country, its Extent and Limits; they thought the *Ban-lieue* was sufficient; and the rather, that this was more than the Confederates would grant at *Cologn*: But this, they said, they would not enter into any Discussion of, in Regard they hoped it was now upon the Point of being settled in *England*.

THEY told me, in the Close of this Discourse, that the main Occasion of their coming then, was to let me know, and to declare to me, that they were ready to put into my Hands their *Plenipouvoirs*, in order to their entring into Matter.

THEY did not know, they said, whether I would meddle with it before Sir *William Temple*'s Arrival; however, they made this Offer, that it might appear how ready they are to begin the Work, and that I might have Occasion hereby to advise Sir *William Temple* of this Overture of theirs. I told them, I should be glad to receive and execute any of their Commands, but that his Majesty's Commission did not qualify me singly, and of myself, to serve their Excellencies, in giving them such an Act upon their consigning of the *Plenipouvoirs* into my Hands, or upon any Thing that should thereon follow, as I thought they would expect from me, who am not at present impower'd to enter upon any Part of our Function here, but in Conjunction with one at least of my Collegues.

THIS Morning I received the Emperor's Passports, and delivered them from Sir *William Temple* into their Hands. They tell me M. *d'Estrades* will be here the 25*th* Current, *N. S.*

M. *Beverning* expressed a great Surprize and Dissatisfaction, that the Council at *Vienna* hath call'd off the Duke of *Lorain* from pursuing his Advantages in *Alsatia*. I am with all Truth and Respect, &c.

L. Jenkins.

Wed-

Wednesday, Nimeg. 14*th June*, 1676.

Right Honourable SIR,

SINCE my laſt, which was of *Saturday* the 10*th*, I have the Honour of two of yours, the one of the 6*th*, and the other of the 9*th* Current; together with his Majeſty's moſt gracious Directions, and Reſolutions upon ſeveral Points relating to the Ceremonial Part, and other Matters that may be incident to this Congreſs.

TO theſe were added, ſeveral other Papers touching M. *Skelton's* Voyage, the Acceptance of his Majeſty's Mediation, and other Matters that may come in Queſtion, during the Courſe of this Negotiation; for all which, as being an exceeding great Light to me here, you have my moſt humble and heartieſt Thanks poſſible.

MY little Judgment is as fully ſatisfied with, as it ought to be, and is entirely ſubmitted to, what his Majeſty is pleaſed to direct in the Apoſtils; and I do think, that M. *Courtin's* Conſtruction, that a Plenipotentiary, if not withal an Ambaſſador, hath not an Ambaſſador's Rank, will hold here; for it was ſo determin'd by the *French*, at leaſtwiſe at *Munſter*, and I find the *Dutch* Ambaſſadors give into it.

BUT when his Majeſty comes to determine upon our Government here, towards the Ambaſſadors of Electors, of the Duke of *Lorain*, of the Duke of *Newburgh*, of the Houſe of *Brunſwick*; I hope it will be conſidered, that the Miniſters of theſe Princes can hardly ask any Thing of their Confederates, but they will grant it them for the Alliance Sake, and *France* will be as ſure to deny all to theſe Princes, but what its own former Practice towards them ſhall oblige it to do; ſhall we in this Caſe follow *France*, or the Houſe of *Auſtria*? The Caſe is one of the moſt favourable, and conſequently not to be denied a Conformity in; except we can ſhew an Intereſt of our own, why we ſhould not go along, for Inſtance, with *Spain* and the Emperor, in doing Civilities to theſe Princes.

IT is apparent that this Eaſineſs and Favour in the Caſe of a Friend, did at the Aſſembly of *Munſter* riffle and bear down all Partitions and Differences that were between the Crown'd Heads and other Princes and States. And if there be any Thing of ancient Boundary yet remaining, it will be much hazarded in this Congreſs; for there will be the like Eaſineſs, where there is the like Intereſt on the one Side, and the like Importunity on the other. But our Queſtion will be, how far his Majeſty is bound, in his preſent Figure, to oppoſe theſe Exceſſes, and refuſe a Conformity to thoſe Things, where Crown'd Heads ſhall lead the Way?

I take leave to encloſe the little Extract that M. *Beverning* hath thought fit, upon Occaſion of Diſcourſe about the Electors, to favour me with; becauſe it may be of ſome Uſe, if it come Time enough.

THE *French* Ambaſſadors are poſitive for allowing but one League round of Neuter Country, and that one League to bear its Part in the Contribution: I fear this will not go down with the States, for then the Condition of their Subjects will be worſe than now it is; for theſe of *Nimeguen* and the *Maes-Walt* never paid nor compounded for any. I did deſire them (having Occaſion given me by Sir *William Temple*, to let them know, the ſettling of the Neuter Country was in a Manner the only Thing that kept him at the *Hague*) to repreſent this Matter, that this Neighbourhood never paid Contribution to his Moſt Chriſtian

Ma-

Majesty, in Hopes that none would be now expected; since that would hazard the Agreement and Being of any Neutrality.

But M. *Colbert* let himself into a great *Emportment*, rather to let the War go on, (his Master having not more need of Peace than his Adversaries) than to be still upon the yielding Hand of all Manner of Advantages to their Enemies; and go back again to *Paris*, than begin a Treaty upon these Terms.

The *Dutch* Ambassadors observe, that the *French*, in their Visit to them, affected to mention the Prince (not Duke) of *Lorain*, when they spoke of the Action in *Alsatia*. They used the same Word in that Relation to me. I suspect the *French* Ambassadors, by their Discourse to me in the singular Number, have but one *Plenipouvoir* to answer to all Parties; if so, I am afraid that the *Dutch* will determine nothing upon the Validity or Invalidity of it, till they have their Allies here to advise with upon it; and that will be a long Pause.

This is but my Conjecture. I told the *French* Ambassadors, the third Time they mentioned to me their being in a Readiness to put their *Plenipouvoirs* into my Hands; I would, if they thought fit, acquaint the *Dutch* Ambassadors with it, they leaving it forsooth to my Direction: I did so yesterday, and the *Dutch* Ambassadors answer'd me, theirs too (one for *France*, and another for *Sweden*) were in all Readiness, even the Copies which they intended to leave with the Mediators; but they did not make any formal Offer to put them into my Hands, as I told them the *French* had done. Sir *William Temple* advises me this Day, that he will be here next Week, which is to me a great Joy in several Respects; especially in that there will be no Pretence then left to the present Grimaces about depositing the *Plenipouvoirs*. I am with all Truth and Respect, *&c.*

L. Jenkins.

Saturday, Nimeg. 17th June, 1676.

Right Honourable Sir,

SINCE the last I took leave to trouble you with, which was of *Wednesday* the 14*th*, I have not the Honour of any of yours, this Morning's Ordinary bringing me none out of *England*.

On *Thursday* Morning, the *French* Ambassadors were pleased to come and give me Part of their News out of *Sicily*, which I take leave herewith to enclose; they were not very affirmative or positive in the delivering of it, but concluded some Successes of this Kind to be in a Manner necessary to dispose the *Spaniards* to a Peace.

They touched again upon the Neuter Country, and laid a great Stress upon that, that the Treaty at *Munster* had now provided for it.

To this I had not much to say, for it would not have come Home to the present Case to have replied, that in the Preliminaries of *Hamburgh*, there was an express Provision made for a quiet and safe Passage from *Munster* to *Osnabrug*, and that any Place which the Parties should agree to meet at about half Way, should be as fully Neuter, as either of those Cities. I rather chose to tell them, that I thought it was not now the Question, whether there should be any Neuter Country at all, or not? the Thing being not only proposed by the King our Master, but agreed to in the general by all the Parties; the Difficulty now remaining, being only about its Extent and Limits.

In

In the Afternoon came to me a Deputation from the Nobles interressed in the *Païs de Nimegne & en celuy du Maes-Walt*; their Business was, to represent how they had been lately threaten'd with Military Execution, and that very suddenly too, from *Maestricht*; bemoaning their Condition as worse than any of their fellow Subjects, the States having forbidden them to pay or compound, upon Pain of Death on the one Side, and yet not allowing them to keep any Garrison in this City, because of the Assembly, whereby they might (that of *Grave* acting in Concert with the Garrison here) defend themselves, and cover their Country, as they have done from the Time that *Grave* was taken in, to the Time of the Irruption of the *French*, in the Beginning of *May*; To this I had nothing to say, but that I was assured, his Majesty did, and would do what could be done with Fairness, to establish a Neutrality about this Town.

They desired me to speak to the *French* Ambassadors here, and to M. *d'Estrades* when he should come, that Execution might be suspended, at least, till it should appear whether any Neutrality would be granted or not; but were content I should stay till M. *d'Estrades* came, who is expected to lie at *Mook*, two Hours off, this Night, and to be here to Morrow in the Forenoon at furthest. Some Hours after them came the *Dutch* Ambassadors, having sent to take an Hour on Purpose.

They told me they had had Orders the Day before to inform themselves upon this Place, and particularly from me, whether the *French* Ambassadors had any Orders, and were impower'd to adjust the Bounds and Limits of the Neuter Country; if so, that they were ready to conclude and treat that Matter with them, having received Instructions and Power to that Effect.

I told them I had observed in several Conversations I had had with the *French* Ambassadors, that they were fully instructed in that Matter, and they had Reasons and Arguments to support the present Sentiments of the Court of *France*, which were now to allow of no more but one League, and that to bear its Part of the Contribution; but of their Orders or Powers I knew nothing.

Having charged myself, as the *Dutch* Ambassadors desired me, to make this Overture; I waited on the *French* Ambassadors yesterday Morning, but they would own no particular Orders or Power for this Point. They were ready, they said, to produce their *Plenipouvoir*, that they thought comprehended this Point of Neutrality, as well as any other relating to the Peace; and in Virtue of that, they were ready to fall to work, other separate Orders or Powers they had none; nor did they expect, but that this Matter would have been ended by the King our Master before their Arrival here.

This Answer I gave the *Dutch* Ambassadors an Account of in the Afternoon. If I mistake them not, the States would accept of any Extent, a League and no more, rather than none at all; but this Matter of Contribution and Execution upon it will go hardly down with them; and they talk there will be a Necessity of putting Horse and Foot (especially Horse) in this Town, in *Grave* and *Ravenstein*, to prevent burning under their Noses, (that was the Expression), while they are Treating here.

In Truth, Sir, I fear it will be made a Point of Honour at last; and we shall have no Neutrality at all. Besides, I perceive they are a little exasperated to find, as they say they do, that the *French* Ambassadors have their Appointments charged upon the Contributions of these Countries. I am with all Truth and Respect, &c.

L. Jenkins.

Wed-

Wednesday, Nimeg. 21*th June, O. S.* 1676.

Right Honourable SIR,

MY last was of *Saturday* the 17*th*; the last of yours that I have the Honour to have, is of the 9*th* Current.

M. *d'Estrades* arrived in this Town on *Sunday* the 18*th* in the Morning; he was pleased to notify me, as he did the *Dutch* Ambassadors the same Forenoon, of his Arrival; I returned him the Complement in the Afternoon, and had the Hour of 10 on *Monday* assigned me for my first Visit, as the *Dutch* had that of 11.

HIS Complement was much (as well in his Answer to me, as in the Visit he returned me at 10 next Morning) upon the *confiance* and the *parenté* between the Kings our Masters respectively, with a Wish that his Majesty would be pleased to interpose his Authority, as well as his Offices, where he finds that Reason will not be hearkened unto; that the *Spaniards* would be found the most backward to come to this Assembly, and the least reasonable in it, unless the late Blow in *Palermo* Road does work on them more effectually than any other of their Circumstances seem to have done.

HE told me yesterday in his Visit, (as he had done on *Monday*) that the Loss was of 12 Men of War and 7 Galleys, which exceeded the first Relation we had by one Ship and one Galley; telling me, he had had this Account from M. *l'Abbe d'Estrades* his Son, Ambassador at *Venice*, of the 13*th*; my Letters of the 12*th*, from Sir *Thomas Higgons*, mention'd no more but an Expectation of Action.

The Mareschal added, that M. *Beverning*, in his Visit on *Monday*, would have brought it down to three *Dutch* and four *Spanish* Men of War, and two Gallies only: This I find this Day is persisted in, with the Loss of *de Haen* and *Harra*, tho' M. the Mareschal and M. *d'Avaux* will not yield it, as I found by them this Morning. For I had an Audience of them two this Morning, M. *Colbert* having taken Physick, it was at M. *de Carriere's* House, who is come hither with the Mareschal; my Business was no more, but to deliver into their Hands two Passports, of the same Tenour of $\frac{4}{14}$*th December* 1675. from the Elector of *Brandenburgh*, which his Ministers, it seems, had detained in their Hands, till they should be furnish'd with the two Duplicates from *France*, as now they are, by Sir *William Temple*.

M. *d'Avaux*, upon M. *d'Estrade's* Question, whether these Passports were according to Form, observed, there was no Words in them that answered or expressed the Word *sejourner*, which yet they insist to have in the *French* Passports: He might have observed likewise, that the Word *Legatus* is not at all in them; whereas the Want of that Word in the *French* Passports, to the Ministers of that Elector, is made a Matter of great Exception; but it was none of my Business (who have by Accident only these Passports come into my Hands) to point out such Matters of Defect: the Copy goes along. I am with all Truth and Respect, &c.

L. Jenkins.

Satur-

Saturday, Nimeguen, 24th of *June, O. S.* 1676.

Right Honourable Sir,

MY last was of *Wednesday* the 21*st*, the Duplicate whereof I take Leave to inclose. This Morning brings me the Honour of yours of the 16*th* Current, with the usual Favour of several Duplicates.

Herewith goes inclosed a Paper of 5 Articles: I received it on *Thursday* from the *French* Ambassadors, at a Visit they gave me to that Effect. It was thus; they read the Articles out of the Paper, but excused themselves when I ask'd, whether I might not have the Favour of a Copy of it; I alledging, that since it was their Pleasure I should impart the Particulars to the *Dutch* Ambassadors, it was but reasonable I should keep myself to their Terms precisely.

M. *Colbert*, that managed the Conference, was pleased easily, and of himself, to come to that Temperament, as that a Secretary from me should come to their House, and the Words should be dictated to him, which was done by M. *Mignon*, out of a Paper, as soon as they returned to M. *Colbert*'s.

I take Leave to give an Account of this little Circumstance, that his Majesty may be pleased to take his Measures, in case the *French* should make a Difficulty to treat in Writing; you may please to remember, Sir, they would not commit any Thing to writing at *Cologn*, which would have embarrassed the Mediators very much, had there been any Progress made to those Points, which would have been nice and intricate in that Negotiation.

I do not see how an adverse Party, that is disposed to treat by Writing, will bear it; and must he in all Events be taken at his Word, as he shall happen to put it into Writing? And shall he have no other hold of his Adversary, but the Word of the Mediators; which Word, tho' it cannot be much liable to Question, because of his Figure; yet his right comprehending, and just representing of those Things that are intrusted to him, will be liable to perpetual Cavils. 'Tis true, the Matter now put into my Hands is not worth this Scruple, but other Matters of greater Moment, if thus treated, may bring on great Difficulties.

The first Article you will find to be, Sir, about the Neuter Country; this the *French* Ambassadors and I had some Discourse on, for I observing to them, that it was Matter of Joy to me, that the King their Master had not only allowed two Leagues instead of one, but also seemed not to demand Contribution, but where it had been imposed; and that none having been either levied or imposed within two Leagues round this Place, there would, I hoped, be no Dispute between *France* and these States, about the Contribution of the two Leagues. M. *d'Estrades* told me, the Contribution had been imposed on their Side, tho' these People had never submitted to it. I told him, they did not so much as acknowledge any Summons or Demands in the wonted Form, since the Reduction of *Grave*; to which his Answer was, that Summons and Demands being the Business of the Intendant to make, he had given Way to M. *Calvo*'s late Execution, upon Certificate from the Intendant, that these People were behind-hand with their Contributions. I carried the first Article in Writing, just as I had received it, to the *Dutch* Ambassadors, with another Copy to the Burgrave and the Town. This I did yesterday, and this Day the *Dutch* Ambassadors brought me the Paper inclosed in Writing, and left it with me;

me; at first they would have had it delivered to the *French* Ambassadors; but upon second Thoughts, when I had observed to them, that that Writing could not properly be taken for an Answer to the Articles I had left with them yesterday, and that it was possible the States by this Time may have some Overtures from the King our Master about the Neuter Country; they desired me to keep it by me till they should have their Master's Answer upon the Articles I had left, and then they will put into my Hands, they say, something that may take in the very Words and Sense of the *French* Articles. So that, I fear, the Business will end in no Neutrality at all. They would needs leave with me an Authentick of *Tromp*'s Victory, and an Account of the *Muscovite* Forces marching on the *Livonia* Side; they told me of their recovering *Canaye*, a Plantation in the *West-Indies*, from the *French*, and of 33 Tuns of Gold, now coming Home from the *East-Indies*: These Things I cannot refuse to hear, when the Parties enter upon telling them. I have nothing else to say, but that I hope these great Events are all Tendencies to a Peace. I am with all Truth and Respect, &c.

L. Jenkins.

Wednesday, Nimeguen 28th June, 1676.

Right Honourable Sir,

My last was of *Saturday* the 24*th*, since which I have not the Honour of any of yours to acknowledge.

This Post would have brought you little or no Trouble at all, but that I am at this Time upon the Brink of a great Embarrass in a Point of Ceremony, only my Hopes are, that Sir *William Temple* will be here at the furthest on *Saturday*, to help me out; nay more, that he and I may have the Honour of your Directions, Sir, before we be put to it in the more difficult Part, if we be to be put to it at all: The Case is thus; M. *Blaspiel* writ me a Letter, (the Copy whereof goes herewith) which was delivered me on *Sunday* last. In the Letter, he says, as you will see, Sir, 1. That M. *de Schwerin* is by his Attendance upon the Cœur Prince, who is gone out of these Parts, hindered, — *de faire la fonction de chef d'Ambassade que sa Altess Electorale avoit destiné pour la Negotiation de la Paix*. 2. That the Elector being obliged to choose — *un autre Ministre dans sa place à Commandé à M.* Blaspiel *de se rendre en attendant à* Nimeguen.

My first Difficulty is, how I shall answer this Letter, whether I shall treat him *d'Excellence*, or not? It was the Practice at *Cologn*, to give the Hand and the Title of Excellency to the *chef d'Ambassade* of an Elector, to the Collegues of such a Chief not at all; but it was *con gravissimo sentimento de gli animi loro*; so *Siri* says: M. *Grammont*, as the *French* Ambassadors are pleased to tell me, (having consulted them in this Point) did so practise it at the Coronation of the Emperor that now is, giving the Hand and the Title of Excellency to the first, but cutting off the others from the same Respect.

For the Hand, I find no Difficulty to have been in the Treaty of *Munster*, for the Title of Excellency it was variously practised toward the *Bavarian* Minister; the Nuncio gave it the chief of them, but the *French* (in that following the Example of the *Imperialists*) treated him M. *le Baron* (it was *de Hazeland*) in the 3*d* Person only, and he them,

but

but his Collegue gave them the Title of Excellency, but received it not, nor yet the Hand.

According to this Practice, there would be little Difficulty in my Case, if it were clear that M. *Blaspiel* is no *chef d'Ambassade*; but the Account he gives of himself in my Letter is so ambiguous, that the *French* Ambassadors know not what to determine of it; and M. *le Mareschal d'Estrades* thinks it a Point not to be adventured on, in case M. *Blaspiel* should pretend to be treated as *chef d'Ambassade*, without first consulting his Majesty's gracious Pleasure, and receiving his Orders in the Matter; my Refuge now is, as to a present Answer to his Letter, that I can say little how requisite his Presence here will be, till Sir *William Temple* be come upon the Place; and as to the Neutrality of *Cleves*, I can tell him nothing, till I do hear what his Majesty hath established between the Parties, at leastwise what the Parties will agree to in that Affair: And thus I have answer'd the Secretary, to whom M. *Blaspiel* in his Letter refers me. I am not, I must confess, without some Apprehension, that this very Business may bring us upon that Rock I took Leave to point at in one of my late Letters: Suppose the Elector should affect to have his 2*d* and 3*d* Ambassadors treated as his first, and that the Emperor, *Spain*, and *Denmark*, should give into it; that *France* and *Sweden* should refuse it; shall his Majesty be pleased to joyn with the first, or with the latter? I think (under Correction) there is more Reason on the latter's Side; for besides that the whole of this is but a Novelty, and an Encroachment, the College of the Princes of the Empire have made a Decree, that their chief Deputies shall take the Hand of the 2*d* of the Electors: But what shall we say, if it be told us, that these Points and the like are still decided by Precedents? And that the latest Precedents, and the most Voices (as here will be three crowned Heads against two) ought to carry it? M. *de Strasburgh* holds to his Conclusion, for he hath sent his Goods address'd to me thus far, but as being yours in Property, when he that had Charge of them found I took Exception (as I did) at the Contrivance, he went his Way without so much as taking Leave; nor do I know what Course he has steer'd since.

The inclosed News is not only the Talk in these Streets, but 'tis discoursed by some of the most intelligent of this Town, and we have it too out of the *Dutch* Ambassador's Family. I am with all Truth, *&c.*

L. Jenkins.

Saturday, Nimeg. 1*st July*, 1676.

Right Honourable Sir,

THIS Morning brings me none out of *England*, and consequently not the Honour of any from you. My last was of *Wednesday* the 28*th* past, the Duplicate whereof I take Leave herewith to inclose.

Yesterday the *Dutch* Ambassadors, at an Hour they were pleased to take from me, came to desire me to communicate that Paper they had left with me this Day sevennight (a Duplicate whereof I take Leave to send herewith, tho' there went by the two former Posts one) to the *French* Ambassadors, as the Answer of the States General upon the Resolution of the Most Christian King, touching the Neutrality.

M. *Bever-*

M. *Beverning* enter'd into a long Deduction of the Matter, to the end, they said, I might inform the *French* Ambassadors, how this Affair had gone on all along; telling me, the States had, upon an Overture from the King our Master, agreed, that all their Country between the *Waal* and the *Meuse* should be neuter; that the Most Christian King did thereupon declare, he would allow of no more than 2 Leagues round this Town, yet did not then make any Demand, that they could hear, of Contribution; that this past 6 or 7 Months ago; that the *Lorain* Passports having since raised Difficulties, the Business of the Neutrality was no more talked of till of late.

That as to any Demand of Contribution or Summons, to come over to *Maestricht*, to agree the Payments, they (the Ambassadors) had, they said, taken some Pains to inform themselves, from the Magistrates, Nobles, and others interested here, of what had passed; which they represented to this Effect:

That when the *French* Garrison was to quit this Town, it was agreed that a Sum of Money should be paid the *French*, as a Ransom of their Pillage principally; but in this Sum was compriz'd all the Arrearages of Contribution that were incurr'd, and also that that should become due and payable till the 1*st* of *June* 1674. That these Sums and the Times of Payment being adjusted and engaged for, the *French* Garrison also being march'd out, the Intendant removed hence to *Grave*, and summon'd the Inhabitants here to come to *Grave*, and agree for their Contributions from the Beginning of *June* forward.

That these Inhabitants obeyed not those Summons, and were prohibited by the States General to come to any Composition with the *French*; and that M. *Rabenhaupt* sitting down before *Grave* in *July*, and the Town at last reduced, they heard no more of the Intendant.

That the Inhabitants do acknowledge, there were certain Billets scattered up and down in the *Maes-Walt*, about *January* last, purporting Summons from *Maestricht*, to come and adjust their Contributions; but that it was not known from what Hands they came, nor were they served upon any noble Officer, or Person concerned whatsoever.

That this being the Matter of Fact, there is no Pretence of their having on this Side submitted or agreed to any Contribution, since the *French* left this Place; and for giving Way that these People should now enter upon any new Terms or Composition, the States will by no Means hear of it: For,

1. It is a Contradiction *in adjecto*, (that was the very Word M. *Beverning* used) to be in a State of Neutrality, and yet to pay Contribution.

2. That it would be a *derniere foiblesse* in the States, to deliver up their Subjects, now at a Time they are able to protect them in the main, bating the Surprizes they may be caught in by Incendiaries setting Fire in the Country here and there.

3. That having computed the Contribution of 2 Leagues round this Town, they find it will come to little more than 600 Crowns a Month, counting it according to the greatest Rigour it hath been at any Time imposed on them here by the *French*; that in the whole Year amounting to no more than 22000 Livres, they cannot sacrifice their Subjects so cheap. Upon the Mention of this last Sum, they were pleased to let fall a little Raillery; saying, it was *justement le fait de M. le Mar. d'Estrades*, who, it seems, in a Visit of Ceremony to their Ladies, let fall some Complaints of the excessive Rates he pays here

 for

for Houses, which happens to be 22000 Livers a Year; but adding withal, he pretended to be reimbursed out of the Contributions of these Countries.

THE Close of all was, that this Business had depended very long; that the States desired no more than to be once at a Certainty: If the *French* desired two Leagues of Neuter Country, the States would be well pleased, provided they pretend not to pass the River into the *Betuwe*; if they will be contented with one only, nay, with a Quarter of a League, the States will close with them; but upon no Terms submit to the Payment of a Penny Contribution.

WHEN I desired to know of them, whether it was their Will I should impart their Paper to the *French* Ambassadors, as a Memorial deliver'd me yesterday, or else on *Saturday* last; they told me, it should be by all Means delivered as deposited with me 6 Days before; the Reason they gave for it was, they would not seem to make any new or high Demands at this Time, least they may be thought to have been the Consequent of their besieging *Maestricht*. They would have this, of not submitting to Contribution, to be an Original and fixt Resolution of their Masters.

WHEN this Question and their Reasonings upon this Subject was over, I took leave to represent to them, that tho' I was ready to obey their Excellencies with all Cheerfulness, yet that since I had full Assurance that Sir *William Temple* would be here within 24 Hours, I could not but ask them, whether they could allow me to respite the communicating of their Memorial to the *French* till he arrived; and the rather, that he may bring further Light to the treating of this Matter, which hath all along been in his Hands, both out of the *Hague*, and from *England* also.

MONSIEUR *Beverning* told me, that he and his Collegue had, before their coming from Home, foreseen I would go near to give them that Answer, which they thought very reasonable; and such as it would not displease their Masters, that they (having used their Diligence) should acquiesce in; and the rather, for that M. *Fagel* had writ them Word, he would speak fully with Sir *William Temple* before he left the *Hague* upon this Matter.

I do not expect to be able to tell you, by the Post that is just upon going off at four, of Sir *William Temple*'s being arrived; his Steward went out but yesterday Morning, to joyn him at *Utrecht*, and from *Utrecht* hither is a tough Journey in one Day.

I can add nothing to what was in my last of the Siege of *Maestricht*, but that the Prince is before it: Here they speak of a Sally made by 300 Horse out of the Town that were cut off. I am with all Truth, *&c.*

L. Jenkins.

Wednesday, Nimeg. 5*th July, O. S.* 1676.

Right Honourable SIR,

MY last was of *Saturday* the 1*st*, since which, I have the Honour of yours of the 27*th* past; and therein the Intimations of his Majesty's gracious Pleasure and Judgment, touching several Matters of Ceremony.

I perceive M. *Courtin*'s Judgment of dividing between the *Chef d' Ambassade* for the Elector, and their second and third Ambassadors, agrees

agrees not only with *Vittorio Siris*'s Relation of what passed in the Treaty of *Munster*, but with M. *Colbert*'s *Averrement* of the Practice of M. *de Grammont* at the Coronation of this present Emperor in the Year 1658. So that I should hope this Point were as good as settled, but that I find these Republick Ambassadors (of this State) have no such Rule or Practice, as to make a Distinction, (as the Crown'd Heads do) in going between the foremost and the hindmost Ambassadors of Electors; which possibly may tempt the Electors to endeavour the obtaining of an abolishing this Distinction, even with the Crowned Heads.

For in an Accommodation that the *Imperialists* came to with the *French*, at the first Procession at *Munster*, the dividing of one and the same Embassy was condemned at *Vienna*, as an incongruous absurd Thing; the Count *de Nassau*, that was the Chief for the Emperor, having suffer'd one of the *French* Ambassadors to march between him and *Wolmar*, was chid for it; tho' *Wolmar* was not a Man of Quality, but of the long Robe only.

But this is no farther of our present Consideration, than that if the Electors have in this Conjuncture a Mind to gain this Step, and to make their Ambassadors in one entire Piece, the Confederates will probably be easy in it, and the *French* and *Swedes* as difficult; then the Question will be, whether the King our Master may joyn in opposing a Novelty, (as this will be) and not be thought partial against the Pretenders?

My Case with M. *Blaspiel* is not come to any Decision; the Secretary he hath here, having not called to me for my Letter; but when he does, I shall not write otherwise than *Vous & vôtre*, for I have Sir *William Temple*'s Opinion, that tho' the Letter he writ to me makes it extreamly ambiguous, whether he be *Chef d'Ambassade* or not; yet I am not bound to take notice of his Character, if he hath it, till he render himself upon this Place, and do notify it to me in Form. What M. *Courtin* determines of the Treatment of Plenipotentiaries from crown'd Heads, without having the Character of Ambassadors added to it, I think is now agreed on all Hands; the Court of *France* decided it for M. *Servient* against M. *d'Avaux* at *Munster*; and I find M. *Beverning* (who is very well seen in these Matters) clear against all Pretensions in Favour of Plenipotentiaries, without any other Character.

What M. *Courtin* says of the Duke of *Loran*'s Ambassador, is very reasonable, if these Matters of Ceremony were to be measured by the Absoluteness and Ancientness of his Sovereignty, or by the Splendour and Merit of his Family: But Possession and Precedents being the only Things capable to set up a Title, and make or create a Right in these Cases, the Duke will be in all Probability much to seek; for the Uncles *Brouilleres* with the Empire, and the two Crowns in their Turns, are ancienter than all these Innovations and Condescensions of crown'd Heads to Republicks, Electors, *Savoy*, &c. and consequently his being not well with any Crown'd Heads, hath lost him the Opportunity of making Precedents for himself, as they have done, *France* never allowing him to send any Minister under any Character to any of the modern Treaties.

I have humbly taken leave thus to enlarge, not knowing what may fall out; if our Master were a Party, none of these Matters would be worth the talking of; but as he is Mediator, 'tis possible they may require some Reflexion.

I should have told you, Sir, at the Beginning, but that I was in the first Place to offer you, together with my humble Thanks, my little Thoughts upon the Matter of Ceremony, enlarged upon in your Letter, that on *Sunday* the

the 2*d*, Sir *William Temple* arrived here ſafe and well, to my very great Comfort and Joy: He hath been hitherto ſo taken up with receiving and paying Viſits of Ceremony, that he and I have not acted any Thing relating to our joint Commiſſion. We did not think proper to trouble you with a joynt Letter, which probably we ſhall have Occaſion to do by the next Ordinary.

As ſoon as he came to Town, I acquainted him with the Memorial the *Dutch* Ambaſſadors had put into my Hands, about the Neuter Country, and how I had deſired them to excuſe me from communicating it to the *French* Ambaſſadors till he ſhould come to Town. It was his Judgment, that in Regard he could not decently enter into any Buſineſs till he had gone through the Ceremonies, that I ſhould alone impart the Memorial to the *French* Ambaſſadors, with the Reaſons of his not appearing as yet in it.

This I did on *Monday* Morning, giving the *French* Ambaſſadors an Account, why I was come alone; and diſcharging my ſelf in the beſt Manner I could, of what I told you, Sir, in my laſt, I was to ſay to them from the *Dutch* Ambaſſadors. There were together M. *d'Eſtrades* and M. *Colbert*; M. *Colbert* fell into an *Emportement*, that they muſt be Priſoners in this Town, while the Allies had Liberty to go whither they pleaſed. That the demanding of Contribution from the *Paiſans*, and the ſubjecting them to it, could in no Reaſon be interpreted a Hindrance to the Ambaſſadors and their Trains from taking the Air; after this Heat, both of them ſaid, they had not much to ſay to me, but would write to their King of it; adding, that the ſooner the King ſent for them back, the more welcome it would be to them, &c. To the Matter of Fact about ſummoning theſe People formerly to come and compound for their Contributions, the *Dutch* Ambaſſadors having ordered me to tell them, there had been no ſuch Summons given; M. *d'Eſtrades* was pleaſed to anſwer, that in *September* laſt, he had ſent a Party out of *Maeſtricht*, which had burnt Houſes in the *Maes-Walt*, and had taken up ſome Priſoners, and brought them to *Maeſtricht*; that theſe Priſoners had ſubmitted to a Contribution; and that upon their ſo doing, they had been releaſed; and that their Neighbours, when they came Home, had nothing to ſay againſt the Payment of it; only that the States having ſince poſſeſſed themſelves of *Haſſelt*, thought their Subjects were in a good Meaſure *à Couvert* from *Maeſtricht*, and had forbid the paying of this Contribution; and that for this Non-Payment, M. *Calvo* had executed them two Months ago.

This Matter of Fact I acquainted the *Dutch* Ambaſſadors with, as alſo the Reſolution of the *French* to ſend the *Dutch* Memorial to their Court; but I did not think I was bound to repeat to them all the eager paſſionate Words M. *Colbert* had uſed on that Occaſion.

I had almoſt forgot to tell you, Sir, how the *French* Ambaſſadors were pleaſed, on *Sunday* in the Afternoon, to ſurprize me (tho' they did take an Hour) with a Viſit of Ceremony, I mean Meſſieurs *Colbert* and *d'Avaux*, coming each of them with two Coaches and ſix Horſes. Their Complement was, they had, in returning me my Viſit of Ceremony, treated me *trop familièrement*, in having no more than one Coach and a Pair of Horſes; they added, they were come to put into my Hands three Paſſports for the Duke of *Newburgh*; the Copy of which goes along with this.

I returned them their Viſit in Form likewiſe next Morning, and put the *Dutch* Memorial into their Hands; and in the Afternoon, I viſited the *Dutch* Ambaſſadors in the ſame Form, with the Apology that the *French* had taught

taught me, that they might have the leſs Cauſe to find Fault with me, having put them, contrary to the Rule, to give me the firſt Viſit. I am with all Truth and Reſpect, *&c.*

L. Jenkins.

Nimeguen 8*th July*, *O. S.* 1676.

Right Honourable SIR,

AFTER the Viſits of Ceremony made and returned between the Ambaſſadors here, and me Sir *William Temple* upon my Arrival, we conſider'd that I, Sir *Leoline Jenkins*, having formerly excuſed myſelf from performing any formal Acts of a Mediator, upon my being here alone, and ſo declined the receiving of the *French Plenipouvoirs*, it might now be fit to make ſome Pace, whereby we might let them ſee, that being here together, we found ourſelves impower'd, by his Majeſty's Commiſſion, to enter upon the Function of Mediators, at ſuch Times, and in ſuch Ways, as the Parties ſhould deſire it. We thought it likewiſe neceſſary to offer them our Opinions upon ſome Points, which might conduce much towards the Peace and good Order of the Congreſs, upon ſo great a Concourſe of Miniſters and other People, as is likely to attend it. Becauſe ſuch Agreements would be eaſier made while we were few upon the Place, and would be eaſier followed by others, who ſhould afterwards arrive, either ſingle, or at moſt three in one Commiſſion, who might not think fit to differ from either the Agreements or Practice already eſtabliſhed by the Ambaſſadors, Mediators, and thoſe of the two principal Parties in the War, who are now upon the Place.

WE found the Narrowneſs of Streets and Turnings very inconvenient for great Numbers of Coaches or Train; that the *French* Ambaſſadors, in the firſt Viſits between them and me Sir *William Temple*, ſeemed very willing to be deliver'd from the Trouble of thoſe Emulations they were like to be put upon, by the great Preparations of the Marquis *de los Balbaſes* from *Spain*, and the Count *Antoine* from *Denmark*: That the *Dutch* Ambaſſadors, in the ſame Viſits with me Sir *William Temple*, complain'd of the Cuſtom of making the firſt Viſits themſelves with a Train of Coaches and ſix Horſes, and ſuch Numbers of Servants, which theſe Streets were not capable of without Inconvenience; and they apprehended likewiſe, that the Greatneſs of the Ambaſſadors Preparations in Point of Equipage, might poſſibly contribute to the Delay of their Journeys hither, eſpecially thoſe of the Houſe of *Auſtria* and *Denmark*.

UPON all theſe Conſiderations, we drew up the incloſed Paper of 5 Heads, tending all to the Quiet and good Order of the Aſſembly; and having asked an Hour of the *French* Ambaſſadors, we met them at Count *d'Eſtrades* yeſterday, at three in the Afternoon.

WE firſt gave them an Account of what remained yet unfiniſhed in the Matter of Paſſports; that is, the *Daniſh* Miniſters (at the *Hague*) refuſing to deliver the two for *France*, till two other from *France* were ready to be exchanged.

THE Excuſes of the *Straſburgh* Paſſports by the Emperor's Miniſters, only upon Neglect or Forgetfulneſs of the Secretaries; and by *Don Emanuel de Lyra*, upon the Neceſſity of their following the Emperor's Paſſports in that Matter and Stile; the Confederates being content without the Word *ſejourner*, and deſiring only that of *repaſſer* in the ſeveral Paſſports.

M. *Col-*

M. *Colbert*, upon Pretence of the Count *d'Eſtrades* having not been here when thoſe Matters began, anſwered us upon all the Points: That the laſt was a Thing ended ſince the Confederates deſiſted from that Offer of the Word *ſejourner*, to be inſerted in the Paſſports: That for the firſt, they would write that Night to *France*, for the two remaining *Daniſh* Paſſports, and were content the Exchange ſhould be at the ſame Time. That for the *Strasburgh* Paſſports, they hoped the Emperor would make no Difficulty for that Prince, ſince their Maſter had made none for any of the Allies; and therefore he deſired we would preſs the *Dutch* Ambaſſadors upon new Inſtances towards their Diſpatch, which we promiſed.

After this, he made us the Offer of delivering to us their *Plenipouvoirs*, at any Time we ſhould appoint; but ſeemed to deſire, that the *Dutch* Ambaſſadors ſhould firſt know of this Offer they made us, to the end we might diſcover whether they were ready to make the ſame Pace: We told them, we were ready to receive them at what Time they ſhould think fit; and ſhould in the mean while let the *Dutch* Ambaſſadors know it, and acquaint them with what they had ſaid upon it.

After this, with ſome little Preamble of the great Importance which the Quiet and good Order of the Aſſembly, and eaſy Way of living among the Miniſters, was like to be of, even to the Succeſs of the Treaty; and obſerving the Commands his Majeſty had given us to begin it, by the avoiding of any Sort of Entries, otherwiſe than as private Perſons; and to endeavour to introduce that Way of living during the Congreſs, which might be without Conſequence for other Times and Places; we read to them the incloſed Paper: They received it with much Approbation, and Complement to us, upon the Conception of it; ſaying, they ſhould preſently agree to all the Articles of it, except the ſecond; but upon that they could not, without firſt acquainting their Maſter with it, from whom they had Orders to maintain the Rank that *Spain* had given them by Treaty, and ſo could not ſtop or make Way for the Miniſters of that Crown, tho' they would be content to do it for thoſe of *Brandenburgh* or *Lorain*. We told them, that tho' they yielded the Paſs to the Emperor's Ambaſſadors, yet we intended to diſpoſe them, when they came, to this general Rule; and for ourſelves, tho' we thought ourſelves *hors de toute Competence en qualite des Mediateurs*, yet we reſolved to enter into this Practice with the reſt, and to give the Example. They ſeemed in their own Opinions ſatisfied with it, but deſired, however, they might have the Paper, and write as laſt Night to Court upon it.

After this, we propoſed, as in Converſation, how we ſhould treat the Ambaſſadors of an Elector, and how the private Perſons of Quality or Officers of this Country, or of any other that ſhould viſit us, to the end that we might fall into one general Form; we agreed upon the firſt, to give the Hand, and *Pas* and *Excellence* to the *chef* of an Elector's *Ambaſſade*, but to none of the reſt; and that if M. *Blaſpiel* at his coming (which is ſoon expected) declares himſelf to be *chef d'Ambaſſade*, he ſhall have it; but that if after him, M. *Schwerin* ſhould come with that Quality, we ſhould give it to him, and thereupon refuſe it to M. *Blaſpiel*.

For Perſons of Quality here, the *French* Ambaſſadors ſaid, they had given the Hand to none yet, tho' the chiefeſt had viſited them. That their Ambaſſadors had never given it to any *Germans* lower than Counts of the Empire, and the Aleſt of the Houſe; nor to

any

any leſs than General Officers of Armies, nor to the Nobles of *Holland*, tho' they made an Hereditary Part in that State. That if we ſhould begin to make any *Relâchemens*, it would give us perpetual Difficulties where to determine them: That ſo we reduced ourſelves to live with one another like private Perſons, they ſaw no Inconvenience in carrying up the uſual Heights of our Character towards other People: We told them we ſhould fall into the ſame Way of Treatment of all Perſons hereabouts in our Eyes, and of thoſe Ranks they had mention'd, ſince they had Rules fixed, and we had none in thoſe Matters, but a Conformity with other Ambaſſadors; and we agreed, that if any Perſon came to Town that could make a Difficulty, we would endeavour to concert it together.

Upon this End of our Viſit to the *French* Ambaſſadors, we intended to go to the *Dutch*, both to communicate our Paper to them, and to acquaint them with the Offer of their *Plenipouvoirs*; but hearing they were gone to my (Sir *William Temple*'s) Houſe, we went and found them there. We told them our Intentions of going to them, but asked the Liberty of ſaying there what their Errand was; they agreed perfectly with all the Heads of our Paper, and deſired they might have it, ſo as to ſend it away to the States, who might communicate it to the Miniſters of their Allies; in Hopes that when the Ambaſſadors that were to come ſaw the little Uſe there would be of ſo great Preparations of Equipage, they might make the more Haſte to the Congreſs.

Upon our Account of the *French* Ambaſſadors Offer, as to their *Plenipouvoirs*, they pauſed a little; and having ſpoken together in *Dutch*, M. *Beverning* anſwered, that it was in the *French* Ambaſſadors Choice, when to deliver their *Plenipouvoirs*, and that it was to them indifferent when they did it; that they could ſay only, that in their Opinion it was not a Thing which would gain any Time, ſince they did not find themſelves inſtructed ſo as either to deliver their Powers, or to make their Reflections neceſſary upon thoſe of the *French*, till the Arrival of their Allies. We asked, whether they deſired we ſhould ſay this from them to the *French*; they ſaid, they were contented we ſhould ſay, that upon what we told them they had made us that Anſwer: We ſaid, we ſhould do it, ſince that was properly our Parts; but it was likewiſe our Parts, as Mediators, to tell them, that ſince they ſeemed not in a Diſpoſition to enter into Buſineſs without their Allies, it would at leaſt become them to haſten them to the Congreſs, by all the Inſtances poſſible, leaſt the Delays of ſo great a Work might be laid to their Charge; this, they ſaid, they had already done, and would endeavour again by their next Letters to the States. We are, Sir, &c.

W. Temple.
L. Jenkins.

Nimeguen, 12*th July*, *O. S.* 1676.

Right Honourable Sir,

OUR laſt was of *Saturday* the 8*th* Current, ſoon after the finiſhing of which M. *d'Eſtrades* gave us a Viſit, at an Hour he had ſent to take that Forenoon. He told us, he intended it not for a Viſit of Buſineſs; he begun with asking us, whether we would favour M. *d'Avaux*, (who was upon ſending one of his Grooms to *Arnheim*, to

 bring

bring Home some Coach-Horses that were to be brought thither for him) so as to give our Certificate, that the Groom belong'd to us, to prevent his falling into Trouble or Stop in his Way: We offer'd to lend him one or two of our own Grooms, which the Mareschal judged to be the safer Course, and which M. *d'Avaux* hath since accepted of.

THE Mareschal afterwards entered upon telling us, how necessary it would be to the Health of this Assembly, to have a Neuter Country settled, and that of an Extent large enough to take the Divertisement of Hunting within it. That he, for his Part, could not live without an open Air; that he hath been always used to it; that even at St. *Germains*, he hunted twice or thrice a Week; that he must do so here; that we must get the Town of *Cleves* to be comprised in the Neutrality; so that he may not only go and hunt, but go and live with his old Friend Prince *Maurice* there; which, if obtained, he would, he said, spend more Time with that Prince at *Cleves*, than in this Town.

HE confessed to us, that the demanding of Contribution here, proceeded from a *mal-entendu* in their Court; their Ministers being apt, he said, in most Things, to retain the Impressions that are first given them, and not easily to hearken afterwards to a better Information; he acknowledging these People to be in the right, in what they alledge, of having never agreed or submitted to a Contribution; for, said he, as soon as ever we, from *Maestricht*, did any Thing, in order to force those of the *Maes-Walt* to submit to a Contribution, by burning Houses, carrying away Prisoners, &c. the States issued out their Placarts to forbid them to pay or agree to any.

The Conclusion was, that a Neuter Country (and that a large one too) must be agreed, and that the Town of *Cleves* must be taken in; but that it must be the Work of the King our Master to do it. When we told him, his Majesty had used all Offices possible, but that their Court would hear of nothing without Contribution; he said, that where they, the *French*, had had none settled, it was not now reasonable to demand it; but where it was agreed, as in the Dutchy of *Cleves*, that, he said, ought to be paid, and the Neutrality stand good only to the Ambassadors and their Retinues.

IN this Conversation, we acquainted the Mareschal with the Answer the *Dutch* Ambassadors had made us, when we told them the *French* Ambassadors were ready, and offer'd themselves to put their *Plenipoteirs* into our Hands, and would have taken *Monday* last to do it. This Answer we gave you, SIR, an Account of in our last; and on *Monday* we imparted it to the three *French* Ambassadors together, in a Visit we made them for that Purpose.

THEIR Reply was, that the several great Advances which the King their Master had made, toward the forming of this Congress, and the entring into the Business of it, was in Compliance with the great Affection and Zeal which the King our Master had for the Peace of *Christendom*; that their King would be as well able, as any other of the Parties, to bear the Inconveniencies of the War, till his Enemies should bend their Thoughts and Desires in good earnest for a Peace; and that he should be no Loser by their delaying the Peace, he enlarging considerably every Year the Borders, and carrying still further the Frontiers of his Dominions: One Thing, they said, they had to request earnestly of us; it was, that we would keep in Memory, that the Delays of the Treaty, and consequently of the Peace, did not proceed from any Want of Affection to it in their Master, nor for any Want of Diligence in them his Ministers; the Offer they had now made of entring into

Business

Business being, they hoped, a sufficient Evidence, where the Backwardness was to be charged.

I, Sir *William Temple*, had some Particulars to acquit myself of towards them in this Audience, the one was, to deliver them, as I did, their first Passports back again for the Duke of *Newburgh*, which by Mistake were sent with the Style of Ambassadors; in the next Place, to desire Passports for the three Electors, *Palatine*, *Mentz*, and *Triers*, with the Stile of Ambassadors to their Ministers; the Passports now in my Possession carrying only the Stile of *Ministers* and *Deputez*, have been thereupon refused by the said Elector's Ministers at the *Hague*; and this Desire I now made, upon a Requisition made by the States to my Secretary at the *Hague*, since my leaving that Place; upon this Point, the *French* Ambassadors made no Difficulty: The other was, to acquaint them, that I had received a Letter the Day before from M. *de Serinchamp*, desiring me to procure Passports from *France* for the Ministers of the Duke of *Lorain* his Master, and that with the Stile of Ambassadors: I told them, I did not otherwise than by way of Conversation lay this before them, in Regard it came not to me from the States General, which hath been hitherto the Conveyance of the Allies Desires in this kind; only that I thought it not improper to mention the Thing, that it may not be new to them, (the Ambassadors) when I should find myself obliged to move them in it, at the Instance of all the Allies.

M. *Colbert* entered presently into Argument upon this as a new Case; saying, it will lie upon the Duke of *Lorain* to make out, that his Predecessors have had Ministers heretofore, (as the Electors have had some) that have been stiled and treated as Ambassadors; in this he thought there was no Precedent to be shewed for the Duke; his last Predecessor had not had any kind of Ministers, or Deputy, in the three Assemblies the most noted of any in these latter Days, *Munster*, *Frankfort*, and *Cologn*; M. *d'Estrades* adding, he was sure there had never been any such Thing as an Ambassador from *Lorain* heard of in the Court of *France*.

To all this we did not think proper to reply any Thing *pro* or *con*, our Business being, as we humbly conceive, not to engage by way of Argument, or Answer for the Parties; but to report and manage such, as the Parties shall think for their Purpose to put into our Hands. The *French* Ambassadors said, they would write to Court of this Matter, as a Thing which the Mediators would be obliged, ere long, to press them in, at the Instance of the Allies; they desired M. *de Serinchamp* might be advertised of the Objection, that he might prepare to clear it, if it should beget a Difficulty in the Negotiation.

From this Conference, we went strait to the *Dutch* Ambassadors, and acquainted them with what the *French* Ambassadors had said, upon their not being at Liberty to exhibit their *Plenipouvoirs*; particularly we let them know that Emphasis wherewith they (the *French* Ambassadors) had desired us to charge our Memories, so as to be able to bear them Witness, the Delay of entring into Business was not to be imputed to the *French*.

M. *Beverning* said, they, the *French*, were not so clear in that Point, but that the Delay of several Months might be imputed to them about the *Lorain* Passports; but that, he said, he would not insist upon, but write (as he had already done very often) that the Allies be pressed to hasten their Plenipotentiaries to this Place.

When M. *Van Haren* was told by me Sir *Leoline Jenkins*, as we were going out, it would be odds but some of their Allies would

 much

much delay their coming; his Answer was, that if they could get a Plurality of them together, they would hope to begin the Negotiation.

The Elector of *Brandenburgh*'s Secretary, that is in this Town, says, that M. *de Schwerin* comes not hither at all; that M. *Somnitz*, Chancellor to the Elector in the *New-mark*, is to be *Chef d'Ambassade*, and none but M. *Blaspiel* joyned with him.

The News is this Day come hither, that the Trenches were open'd at *Maestricht* the 19*th*, and that a Battery of 24 Guns began to play yesterday; and we observe by Discourses from C. *d'Estrades* and M. *d'Avaux*, in their separate Visits to us both, that they rather believe the *French* Army will besiege some Place in *Flanders*, than attempt the Relief of *Maestricht*. We are,

W. Temple.
L. Jenkins.

Nimeguen 19th July, O. S. 1676.

Right Honourable Sir,

Since our last, which was of this Day sevennight, we have the Favour of yours to us, both of the 7*th* Current; for which we humbly thank you, especially for the many useful Reflexions therein, both upon the Incident of M. *Blaspiel*, which is now well over, and upon the Case wherein the Parties in War may come to be divided about Honours that may be pretended to by some Ministers in this Assembly, as it is not unlikely to be the Case of those, whom the Duke of *Lorain* shall send hither, if we may ground any Conjecture upon M. *Colbert*'s Discourse, which we gave you an Account of in our last. On *Saturday* there was delivered us a Passport for the Bishop of *Strasburg* from the Elector of *Brandenburgh*, together with a Letter that accompanied it from M. *Blaspiel*; the Secretary that brought the Passport, desired to have it back again, to carry it to Prince *Maurice*, Governour of *Cleves*; in Regard the Bishop of *Strasburg* had desired the said Prince, to send him a Passport, to pass through his Government of *Cleves*. But I, Sir *William Temple*, having had several express Directions from yourself, to send all Passports for M. *de Strasburg* to your Hands; have thought it best to send it, as now we do, to be disposed of as you shall see Cause.

The same Day, M. *de Haren* came to us, by the Command, as he said, of the States his Masters; and told us, that the States having called together their Allies, in Order to impart to them the Instances we had made to him and his Collegue some Days before, that the States would be pleased to quicken their Allies to hasten hither their Plenipotentiaries, in Regard it now stuck upon the Refusal the *Dutch* Ambassadors had made, to deposite with us their own *Pleinpouvoirs*, or to enter into Consideration of those, that the *French* were ready to give into our Hands. They (the States) were answered by the Ministers of their Allies, that the Kings of *France* and *Sweden* had not yet dispatched the Number requisite of three Passports a Piece to the Allies, excepting to *Spain* alone, who had had their Complement; but that the Emperor, the King of *Denmark*, the Elector of *Brandenburgh*, and other Allies, had yet received but one a Piece; and that for Want of these Passports in the Number desired, the Allies cannot send their Plenipotentiaries to the Congress; since some being ready, as it happens, to set out before others, one Passport cannot be made use of by more than one Person.

That

THAT as the States have not been able hitherto to obtain Paſſports in the Number that was reſolved on; ſo, on the other Side, the Miniſters of the Allies make a Difficulty to let go out of their Hands the Paſſports of the Electors *Palatine*, *Mayence*, *Treves*, and of *Munſter*, and alſo thoſe that have been deſired for the Biſhop of *Strasburg*, till *France* and *Sweden* do on their Parts furniſh the Number deſired, and ſo the Exchange may be made: M. *de Haren* pray'd us to continue our Offices, in Order to have this Defect ſupplied; adding, that he was at Liberty to tell us, that if after the neceſſary Number of Paſſports was really ſupplied, and this Pretext taken away, the Allies would not render themſelves upon the Place; yet they, the *Dutch* Ambaſſadors, would enter into Buſineſs, notwithſtanding the Abſence of their Allies. In the Evening he ſent us a Memorial of this Matter, which goes herewith incloſed.

THE *French* Ambaſſadors being acquainted the ſame Evening with this Meſſage, and having a Copy given them next Day of M. *de Haren's* Memorial, made very ſlight of it; ſaying, it was a meer Pretext, and capable of a very good Anſwer. The Allies, ſay they, having had treble Paſſports from *France*, as many as have made any Inſtances for them, excepting *Denmark* only; tho' they, the *French* Ambaſſadors, are come hither upon ſingle Paſſports from *Denmark* and *Brandenburgh*, whereas they might with good Reaſon have thought the Paſſports of the laſt eſpecially, to have been neceſſary to them ſeverally, for their ſafe Paſſage: That if *Sweden* be behind, it is only becauſe that Court does not know that there is any ſuch Streſs laid upon treble Paſſports; nor is it eaſily to be imagined, how any (almoſt) of the Allies ſhould ſtand in Need of a Paſſport from *Sweden* to come to *Nimeguen*.

THE ſame *Sunday* Evening that I, Sir *Leoline Jenkins*, delivered M. *de Haren's* Memorial to M. *Colbert*, he was pleaſed to tell me, that they had received Letters from Court that Morning, and to acquaint me with the Sence of their King upon the Matter of Neutrality, which proves to be very different from that, which he and his Collegues had expreſſed themſelves in, in ſeveral late Converſations with us; for he told me, it is the Reſolution of the Moſt Chriſtian King, that the Neuter Country (which he intends ſhall be of two Leagues, and no more) ſhall be ſubject to the Contribution they the *French* have impoſed upon it; (he uſed that very Word) or elſe to the Hazards of the War, as well as the reſt of the *Maes-Walt*, or any Country that the *Dutch* will take upon them to defend from Executions. That it is the Moſt Chriſtian King's meaning, that his Ambaſſadors ſhall take the Air, and recreate themſelves within that Circuit, with the ſame Freedom, that the *Dutch* Ambaſſadors, or any of the Allies, do or may do; (except that they are not to paſs into the *Betuwe*) this he ſaid their King was of Opinion, the Law of Nations, and the Paſſports of theſe States, (the Word *Sejourner* importing no leſs) did protect and warrant them in.

THAT theſe Ambaſſadors hereupon are reſolved to put it to the Tryal, to ſee whether the *Dutch* will dare to inſult them, without having Regard to the Law of Nations; it being otherwiſe an Indignity inſufferable, for the Miniſters of their King, to be in a worſe Reſtraint here, than if they were in *Turkey*; while the Allies, when they come, will, he ſuppoſeth, be at Liberty to take their Pleaſure all the Country over: In the Iſſue, he ſaid, that the Succeſs of the Siege of *Maeſtricht* would regulate all this.

ON *Sunday* in the Afternoon, a Gentleman (calling himſelf *Conſeiller de ſon Alteſſe de Newbourg*) delivered us a Letter of the 25*th* of *June* from

from that Prince, which refers us to a Copy that was inclosed in it, of a Letter of the 12*th* of *May* last, that he had writ to his Majesty; the main Scope of the Letter to us, and of the Gentleman's Message, was, for our Offices in the Matter of those excessive Contributions that *Maestricht* hath imposed upon his Dutchy of *Juliers*, beyond all Proportion either with the Ability of those Subjects, or with the Tax upon the Neighbour Provinces; besides, that the Intendant hath reserved out of the Composition the Duke's whole Demains, which they intend to sweep away entirely over and above the Tax of the Country.

We take leave to send you here inclosed, his Highness's Letter to us; and we send you also, the few Lines we have writ in Answer to the Duke; whereby we endeavour to excuse ourselves, as having nothing to warrant us, to interpose our Offices in such particular Matters as this of the Contribution is; and withal, to let his Highness see, we are not unacquainted with the personal Friendship and Esteem that his Majesty hath for him.

On *Tuesday*, the Marshal *d' Estrade* discoursing to me, Sir *Leoline Jenkins*, in a particular Conversation of the abovementioned Memorial of M. *de Haren*'s, told me, that they, the *French*, were not at Liberty to reply to it in Writing; but that when they have Commission from Court to do it, and to answer such Papers as that, they would be sure to do it to the Purpose.

The Marshal, who had upon all Occasions declared himself most easy and much concerned to have a Neuter Country established, did express himself much otherwise at this Time; saying, that the *Dutch* were much in the wrong, in holding that there can be no neutrality, where the Country is subject to Contribution; he instanced in *France* and *Spain*; which had paid Contribution to each other during the Neutrality; (I suppose he meant some Cessation of Arms that was between them before the Peace of the *Pyrenées*) he was of Opinion that the Inhabitants liable to Contribution might be well executed, and that without any Violation of the Neutrality intended for Ambassadors and their Trains.

The *French*, he said, for their Parts, if any of their Troops should do the least Injury to any belonging to the Ministers of the Allies, they would be sure to prosecute them even to hanging: That if, on the other Side, any of the *Dutch* should insult any belonging to them, (the *French* Ambassadors) the King their Master would quickly send for them Home, and the sooner, he said, the better.

This Morning, I Sir *William Temple* received a Letter from *Don Emanuel de Lyra*, with a Passport for the Bishop of *Strasburg*, which goes herewith inclosed. I have likewise a Letter from M. *de Serinchamp*, telling me, that the States had by one of their Deputies desired my Secretary at the *Hague* to procure Passports for the Ministers of the Duke his Master, with the Stile of Ambassadors: upon this Matter he further writes, That in the Year 1640, the late Duke of *Lorain* sent the Marquiss *de Villa* his Ambassador into *Spain*, where he was so received. That in the Year 1638. he sent the Marquiss *de Bassompierre* with the same Quality to the Emperor, where he was likewise so received. That in the two last Elections in *Poland*, the Counts *de Chavagnax* and *Taffe* were received and treated in the same Quality; all which we thought fit to give you notice of, and to submit to his Majesty's Consideration.

I Sir *William Temple* going yesterday to *Cleves*, met there with the News arrived the Night before, by a Trumpet to Prince *Maurice*, that the Prince of *Orange* had received a Wound in the Arm by a Musquet Bullet,

Bullet, but that immediately upon it he had taken off his Hat with the same Arm, to shew those about him that the Hurt was not great; that after having gone to his Tent, and had it dressed, he came out immediately again; so that, GOD be praised, there is no Sort of Danger in it: Finding a Trumpet ready to part with Prince *Maurice's* Letter to his Highness upon this Occasion, I thought it fit to send my Complement likewise to the Prince from thence by the same Trumpet. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen, 22*th* of *July*, *O. S.* 1676.

Right Honourable SIR,

SINCE what we writ by last Ordinary, we have here very little to bear us out in giving you any Trouble by this, besides the acknowledging yours of .

WE have acquainted the *Dutch* Ambassadors with the Orders which those of *France* told us lately, they had received from the King their Master, not to forbear the Liberty and Divertisement of the Country hereabouts, provided they exceeded not the Distance of two Leagues from this Town, nor passed into the *Betuwe*. That the *French* Ambassadors had within 2 or 3 Days after gone out for the first Time with all their Train, and resolved to do so at their Pleasure hereafter, trusting to the Respect and Safety that was every where due to Ambassadors; and without Reflection upon the Difference still depending about the Neutral Country, we added our own Thoughts and Desires, that till this should be ended by his Majesty's Offices, the States should take Care to forbid all Insults or Insolencies towards the *French* Ambassadors or their Train, in the Use of this innocent Liberty.

THE *Dutch* told us, they would represent it to their Masters, and could say nothing of themselves beyond their own private Opinion, which was, that possibly no Exception would be taken, nor Restraint given to the *French* upon this Occasion, whilst no Innovations nor Executions were made hereabouts by any of the *French* Troops; but if this happened, they did not believe the other would be allowed by the States. We hope to have left this Matter for the present out of Danger of any Incidents which may interrupt the Congress, both in Regard of the Siege of *Maestricht*, and other Circumstances; and that his Majesty will not in the mean time forbear the Pursuit of this Matter to a more certain Determination. We remain, SIR, &c.

W. Temple.
L. Jenkins.

Nimeguen, 26*th* *July*, *O S.* 1676.

Right Honourable SIR,

OUR last was of *Saturday* the 22*th*, we have since the Favour of yours of the 18*th* Current to acknowledge, and therein several Papers relating to the *Swedish* Ships now in the River, which we shall make Use of here as Occasion shall offer.

UPON *Sunday* Afternoon, I Sir *William Temple* going to M. *Colbert's* House upon an ordinary Visit, found the three *French* Ambassadors there toge-

together; who said, they were coming to give me an Account of what they had received by the Pacquet, then newly arrived from *France*.

They told me, that M. *Pompone* had assured them, Orders had been given for the Dispatch of the two *Danish* Passports, which would not fail to be sent hither by the next Pacquet.

That concerning the Duke of *Lorain*'s Pretensions, he (M. *Pompone*) was of Opinion, it ought to be governed by Precedents; but did not believe there was any Minister ever sent from *Lorain* with an higher Character than that of *Envoye*.

I gave them (the *French* Ambassadors) an Account of what M. *de Serinchamp* had written to me upon that Subject.

They seemed, however, to doubt those Instances, and say, they were not to be taken upon M. *Serinchamp*'s bare Authority; and that what was alledged to have passed in *Germany* or *Poland*, might have been mistaken upon the single Word *Gesandt*, which is used in *High-Dutch* both for *Ambassador* and *Envoy*; but we concluded, that from *Vienna* would be easily known the Truth of what was said to have passed there in the Year 1638; and I undertook to inform myself thereof, by engaging Mr. *Skelton* in the Inquiry.

The Ambassadors then told me, that M. *de Pompone* had likewise received the five Articles that we had drawn up by the Way of Project, for the Peace and good Order of this Assembly, and that he thought them very useful towards that End: But that the 2*d* Article would need some Restrictions, which they would offer us in Writing, so as what should be practised upon it between them and the *Spaniards* might not be drawn in Consequence upon any other Occasion.

That he, M. *de Pompone*, likewise thought, that since we had so well provided against all Rencounters and Quarrels between the Servants of the Ambassadors by the other Articles, there would be no need by the first Article, of confining their Train in Visits of Ceremony to any certain Number; besides that, it would in a Manner level the Ambassadors of the greatest Kings with the Ministers of smaller Princes, at least in the Eyes of the *menu peuple*, who measure the Dignity of each by the Trains that attend them.

That moreover they did not believe any Retrenchments we could make of the Number, could prevent Disorders among them. If so many Ministers should usually meet at any one Publick Place of Conference, it would prove so inconvenient, as not to be practicable here; nor did they think it would be any more necessary towards the carrying on of the Treaty here, than it was at *Munster*, where no such Publick Place was appointed or made Use of, but all passed there between the Parties and the Mediators at their several Houses.

I answered, it was a Matter I had not much thought of, but that I had heard my Collegue say, such Conferences at a Publick Place were practised at *Cologn*, and that thereupon he and the *Dutch* Ambassadors had discoursed of it here, and had taken a View some Months since of the Stadthouse of this Town, and its Conveniencies for that Purpose.

M. *Colbert* reply'd, that the Difference was great between this Treaty and that of *Cologn*, where there was in a Manner but two Parties, (since we and the *French* were but one in that whole Business, and the *Dutch* were single, without any Allies that were then declared in the War;) but that in this Treaty he believed there would be near twenty Ambassadors of crowned Heads, beside those of States and other Princes; and that he doubted Conferences could not be managed among so many Ministers, nor Order kept among their Servants, to what Number soever they should be reduced.

M. *d'Avaux*

M. *d'Avaux* declared himself of the same Opinion, and said, he did not see of what Use such Meetings could be, since there were no Conferences to be between the adverse Parties, but they were to keep in their several Chambers; and that it could serve no further than to save the Pains of the Mediators, who there went to the several Parties in their Chambers, instead of going to them in their Houses.

M. *d'Estrades* added, that there was no such Publick Place used at *Breda*, till the signing of the Treaty, after all was concluded; that whether such a Place would be necessary at the signing it or not, he was sure it would not be so before; and that if it were so then, yet it would be without any Danger of Disorder; since after the Conclusion of all Differences, *L'aigrette des Esprits seroit toute appaisée.*

I observed upon all these Discourses, that they were all of Opinion to decline a Publick Place for Conference; and therefore asked them, whether upon Occasion I should declare this to be their Sense? they answered, that what had passed was only in Discourse; and that it being the Part of the Mediators to propose those Ways they judged most convenient for carrying on the Business of the Assembly, they, when we should do it in this Particular, would then give us more formally their Reflexions upon it.

On *Monday* in the Forenoon, M. *Colbert* and *d'Avaux* giving me, Sir *Leoline Jenkins*, the Favour of a Visit, let themselves into a Discourse of th[illegible]ame Tenour with what is above set down; beginning with the [illegible]ark Passports, then going on to the Matter of *Lorain* Ambassadors, then to the two first Articles of our Project, for the good Order of this Assembly, and concluding with much of Stress upon the no Necessity and visible Danger of a Concourse at any one Publick Place for Conferences. I cannot recollect myself of any Thing that fell from them over and above, or otherwise expressed, than is abovementioned, upon these several Heads; only upon that that related to the *Lorain* Ambassadors, M. *Colbert* said, they hoped and desired that we, the Mediators, would remember and bear Witness, that this Title of Ambassadors is a new Difficulty, and a new Delay, that cannot in the least be imputed to them, the *French*; their Master having above two Months ago furnished Passports for the *Lorain* Ministers, in the same Stile in all Things that the Allies had thought fit then to require them.

M. *d'Avaux* did add to the Reasons that M. *Colbert* had given against a Publick Place for Conferences, that tho' it would be a greater Trouble to us to visit the Parties in their several Houses, than to go from one Chamber to another at the Stadthouse; yet that there was a far greater Trouble that we should avoid, in having no Publick Place at all to take [illegible]are about, since it would be a very difficult Thing for us to content the several Parties with Rooms, according to the Expectations they would probably have.

When I told them, in Answer to this, that we should not in the least consider our own Ease, and that the King my Master at my coming away *s'estoit expliqué*, (for I did not mention our Instructions) that he thought it would be one of the first Things we should have to do, when we came upon this Place, to provide a Publick Place for Conferences, and to lay before the several Parties what Conveniencies were to be had for the Retreat of each; his Majesty had nothing in his Eye then, but the Ease of the Parties, upon the fresh Example (as I conceived it) of *Cologn.*

M. *Colbert* answered, that they did not now, by Way of Proposition, desire the Thoughts of such a Place may be laid aside, but rather give

keep up their Rank, which is between Crown'd Heads and other inferior Princes, and conform themselves to the prevailing Examples. But he seemed much troubled, that the Limitation intended of two Horses and no more to a Coach, did not take Place. He was answer'd, that we for our Parts would make no such Haste to depart from the Model we had proposed, but would stay at least till the *French* and their Allies should come to a formal Resolution.

He asked, whether we desired to have the States acquainted with it, that they might call, as they use to do, the Allies together, to deliberate of it; whereto he was told, that this was only an Intimation of a Doubt we had, that the Practice upon this Article might happen to be different from what we had projected, and what they had seemed to approve of; and that we gave them this Hint, as soon as we discovered any Scruple made upon it, least any of the Ministers of their Allies should, in preparing their Trains, look upon our Project as a Model received and established here; and yet find, when they come upon the Place, that the *French* have not conformed themselves to it, but appear abroad with greater Number of Attendants than was at first projected; and that they, the *French* themselves, at first Sight, thought sufficient for all useful Purposes, and safest for the publick Peace.

This Morning the *Dutch* Ambassadors came to us, and acquainted us, that they had received an Answer from the States their Masters, upon the Notice that they (the Ambassadors) had given them of the Discourses which the *French* Ambassadors had lately made upon the Liberty they intended to take in the Use of the Country hereabouts, even while the Business of the Neutrality remained undecided.

The States Answer was, that they did not consent to this Liberty, and thought it fit the *French* Ambassadors should have so much intimated to them, for Fear of any Inconveniencies that might possibly happen. That the States thought it necessary that either a Neutrality should be agreed on, so as to prevent all Hostilities by Compact, or else that there should be no Neutrality at all; and that this Opinion being grounded upon the Reason of the Thing, should not be alter'd at all by any Success in the Siege of *Maestricht*. But if the *French* should make a Declaration, that no Hostility should be exercised within two Leagues of this Town, the States would in that Case consent that the *French* should enjoy the Liberty they now pretend to, and they would make a Declaration on their Side to the same Effect. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen 29th July, O. S. 1676.

Right Honourable Sir,

SINCE our Letter by the last Ordinary, we have in Conversation acquainted the *French* Ambassadors with the Discourses lately made us by the *Dutch*, on the Subject of Neutral Country, and this produced much Argument from the *French* upon their Dislike of the States Answer in that Matter; but we shall not trouble you with the Particulars of their Reasonings, which were but Repetitions of what had formerly past, and had been represented in our former Letters. All that was new, was the inclosed Paper, which was a Resolution of the States, taken (as we conceive) upon the Death of *Dorislaus*; and was

now offer'd us by the *French* Ambaſſadors, as a Thing clear and deciſive in the Caſe; but we doubt whether the *Dutch* will allow it ſo, and not diſtinguiſh between publick Miniſters of their Allies, reſiding with them, and thoſe of their Enemies admitted into one of their Towns upon Account of the Treaty only. This we the rather fear, becauſe we obſerve on both Sides ſo much Stomach in this Matter, tho' of no ſeeming Conſequence, that we deſpair of any good Iſſue, unleſs the Siege of *Maeſtricht* ſhould decide it, or his Majeſty ſhould interpoſe his own Opinion in the Caſe.

M. *Colbert* has delivered to me, Sir *William Temple*, the two Paſſports for *Denmark*, and thoſe for the Electors, *Palatine*, *Mentz*, and *Triers*, which I have ſent to my Secretary at the *Hague*, to be there exchanged; ſo that I take this Matter of the Paſſports to be now perfected on the *French* and *Swediſh* Sides. There were, it ſeems, two Paſſports for the Biſhop of *Straſburg* among thoſe of *Sweden*, which, whether neceſſary or no, I ſend you here incloſed. The reſt I ſuppoſe for that Biſhop will now follow from the *Hague*. We have nothing elſe at preſent to encreaſe your Trouble, beſides the Profeſſion of our being always, SIR, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 2d Auguſt, O. S. 1676.

Right Honourable SIR,

OUR laſt was of *Saturday* the 29*th* paſt; ſince which, we have the Favour of yours of the 25*th*; and 'tis with all humble Duty and Acknowledgment that we look upon his Majeſty's moſt gracious Acceptance of what we have done here, either by Way of Eſſay, in Order to the Peace of this Aſſembly; or elſe by Way of Offices, in handing the Overtures of the one Party to the other, without mingling any Thing of our own, which we ſhall be always very careful to avoid.

WE have told you already, how that all the Paſſports that have been demanded by the Confederates, are now in our Hands, both from *France* and *Sweden*; ſaving that we want that new One, which the Duke of *Lorain* hath lately cauſed to be demanded, with the Title of Ambaſſadors to his Miniſters; how long that will ſtick, we cannot tell, the *French* Ambaſſadors having not opened themſelves ſince the laſt Account we gave you upon this Point.

WE ſhall, with the firſt Opportunity, acquaint the *Dutch* Ambaſſadors here, with the Inſtance his Majeſty commands to be made for Paſſports to the Elector of *Bavaria*'s Miniſters, with the Quality of Ambaſſadors.

WE are glad to find that his Majeſty hath ſome Thoughts of reſuming the Buſineſs of the Neutrality once more; not that we have any other View in that Thing, but as a Means to ſecure the Being of this Congreſs; which we cannot think out of Danger of being diſſolved, as long as both Parties have ſome Colour or Pretence left, (for Want of having the Neutrality agreed and eſtabliſhed) for the Courſes of the Soldiery of each Side, to the very Gates of this Town; ſince ſuch Courſes will always be attended with Inſolencies, which may ſome Time or other light upon ſome that relate to the Aſſembly. The Ordinance of the States of *Holland* made in the Year 1651, (which we tranſmitted to you in our laſt) was communicated by us on *Monday* to the *Dutch* Ambaſſadors.

THEIR

THEIR Reflexions upon it was, that they did not see how any Thing in it was applicable to the Case of the *French* Ambassadors, in the Liberty they pretend to without these Walls: That Ordinance, they said, had been occasioned by some Affronts that had been given, and some further Insult threatened upon the Person of *Strickland*, that was at that Time come under a publick Character from *Cromwell* to the States. It was a Remark they made by the by, that the Party for the Prince of *Orange* did then so strongly and effectually oppose the Thing, (out of their Detestation of that new Republick) that this Ordinance could never be got to pass the Assembly of the States General. That which the *Dutch* Ambassadors most enlarged upon was, that that Ordinance was made to direct and preserve the Respects due to the Publick Ministers of their Friends and Allies, residing with them at the *Hague*. That whatever Respect was enjoyn'd therein, the same should be inviolably observed, and paid to the Ambassadors and Ministers of their now Enemies, both at *Nimeguen*, and in their Way to and from it: But if it were pretended by the Ministers of their Enemies, that they are to be for themselves and their Trains, in the same Condition of Freedom about *Nimeguen*, as those of their Friends are about the *Hague*; they thought it could not be but by Convention, and by an Establishment *de gré à gré*.

MONSIEUR *Heugh*, one of the Ambassadors from *Denmark*, came hither last Night, to see a House taken for him here, with an Intention to return this Morning to *Amsterdam*; he gave us no notice of his coming, nor, that we hear of, saw any, made or received any Visits; but meeting the *French* Ambassadors at the Comedy last Night, made them a Complement at their going out. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen 6th August, O. S. 1676.

Right Honourable SIR,

SINCE our Letter by the last Post, we are to acknowledge the Favour of one from you of the 28*th* past; with the inclosed from the Duke of *Newburgh* to his Majesty, and are glad to find, that the Judgment we made upon the Applications of that Duke, has had the Honour of agreeing with his Majesty's Thoughts therein. We wish that the Office his Majesty has been pleased to perform in the *French* Court may be effectual towards his Relief, but have some Reason to doubt it from the Discourses of the *French* Ambassadors here, which are upon all Occasions sharper against that Duke, than any other Prince of *Germany*, as the Person of all others that, they say, has received the greatest Obligations from the Crown of *France*, and the worst returned them.

WE have, according to your Orders, spoke to the *Dutch* Ambassadors, concerning the Passports for *Bavaria*; wherein they have promised to employ their Offices to the States, and make no Question of their Dispatch.

WE have nothing further to encrease your trouble at this Time, besides the Assurances of our being, &c.

W. Temple.
L. Jenkins.

Nime-

Nimeguen 9th August, O. S. 1676.

Right Honourable SIR,

SINCE our last, which was of *Saturday* the 5*th*, we have not any of yours to acknowledge, nor does this Place at this Time afford any Thing worth your Trouble; all Men here being intent upon the Issue of the great Sieges now in Hand; only we cannot omit to tell you, that the *Dutch* Ambassadors came yesterday to acquaint us solemnly, that the States their Masters did interest themselves for the procuring Passports to the Duke of *Lorain*, in the same Form that the Elector of *Brandenburgh* hath had them; that is, with the Style of Ambassadors; and therefore they did in their Masters Names, and by their Order, pray his Majesty's Offices, in Order to obtain from *France* and *Sweden* such Passports as the Duke desireth. We were able to tell them, that upon the first Overture that Monsieur *Mauriguant* had made, in the Name of the States, to M. *Meridith*, whom I, Sir *William Temple*, had left at the *Hague*; his Majesty had been acquainted with this Desire of the States, and that is is now above a Fortnight since that Affair is in his Majestys Hands.

THEY added further, that tho' they did not think the repeating of what they had acquainted us with already, to be at this Time necessary; yet they could not chuse but tell us, that the States their Masters were resolved, that as soon as they should be able to take from their Allies all Pretext of Delays, by procuring them the necessary Passports for their safe Coming to this Place; they, these Ambassadors, would have Orders to fall to work, *de ses Mettre à travailler*, was the Word that M. *Beverning* used. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen 12th August, O. S. 1676.

Right Honourable SIR,

SINCE our last of the 9*th*, we have the Favour of one from you of the 4*th*, upon which we do not find any Thing to be returned, but that I, Sir *William Temple*, shall write this Night to the *Hague*, to sollicit the Dispatch of two Passports more, from each of the Confederates, for the Bishop of *Strasburg*; which I shall have now better Ground to do, (since you think it necessary) upon the States demanding three for the Bishop of *Munster*. Their former Excuse was, that no more than one were desired, either by the Duke of *Lorain*, or any Prince of *Germany*, besides the Elector of *Brandenburgh*; and I do not think their new Requisition to have any other Ground, than the furnishing of a fairer Pretext for the Delays of the Confederates in coming to the Congress.

TWO Days since, we received from the *Dutch* Ambassadors the Letter and List of Passports, whereof we send you the inclosed Copies; yesterday we communicated both to the *French* Ambassadors; they seemed to receive them with much Dissatisfaction at the Proceeding of the States; saying, it appear'd too plainly, that they the States meant nothing else by this Application, but to gain a Pretence of delaying the Treaty by a Demand of more Passports for the Electors, which ought

to

to have been made three Months ago, if their Intentions had been fair; and by another for the Duke of *Lorain*, in a new Stile, which the King their Master could not grant, being not grounded upon any Precedent: That tho' the States might pretend to have a Mind to the Peace, yet being engaged with Allies who had none, and tying themselves to follow their Paces, it was the same Thing as if they had no Mind to it themselves; that if their Intentions were real, they might let their Allies know plainly, that if they did not send their Ministers to the Congress, they would begin to treat without them; and if they should do that, there would be none of the Allies that would not be quickly here: That they did not know how the King their Master would understand these Delays; but that they did not think it was for his Honour, that his Ambassadors should wait here so long upon his Enemies Leisure; and so useless as they had found themselves here ever since they came, and were like to be so still, at least to the End of the Campaign, which might last to the middle of *November*. That they did not know why, in the mean Time, they might not stay every one at his own House, and leave an Envoy, or a Secretary here, if there were Occasion, to look after their private Affairs, and give them Notice of the Motion of the Congress; that in case all they had written to Court were considered and approved of, this might very well happen; and that the Course of Affairs were not at present in such a Train, but that the King their Master might bear the Delays of a Treaty as well as the Confederates. This was the Sum of all their first Discourses upon the Papers, in which M. *d'Estrades* seem'd the warmest and the most unsatisfied.

We replied nothing, but that we had acquitted ourselves in communicating those Papers to them, and left it to them, to give what Advices, and make what Representations they thought fit upon them; we confessed, that we had at present little other Business here than to obey the King our Master; but that we should always think Business enough to do: M. *Colbert* reply'd, they had that Business to, and that since they were here, *Il faloit patienter* —. He told us then with more Coldness, that we knew very well the Easiness the King their Master had expressed in the whole Business of the Passports; that he believed there would be no Difficulty in those for the rest of the Electors; but for that of *Lorain*, they did not see how it could be done; and that by the very last Post they had received an Answer to their Dispatch upon it from M. *Pompone*, who agreed with their Sentiments, that the King ought to be governed by Precedents; but that he was sure there never had been any yet in that Court. Hereupon I, Sir *William Temple*, told them, that what we had before communicated to them, coming from the States, we had done it as Ambassadors; but upon what they said last, concerning the Duke of *Lorain*'s Pretence, as Ambassadors, we had nothing to reply: But if they desired it, I would shew them upon this Occasion, and as Matter of ordinary Conversation, a Paper I had newly received, in a Letter from M. *Serinchamp*, (which we send you here inclosed) wherein he pretended to give Instances of the Duke of *Lorain*'s Right and Practice in sending Ambassadors. They desired me to read it, which I did, till I came to the End of that Paragraph, concerning the Marquis *de Ville*'s being admitted as an Ambassador by *Lewis* XIII. and speaking to him covered, with an Addition of M. *Gembervaux* having been present at that Audience, and being still alive. Here M. *d'Estrades* interrupted me, saying, *& bien cela est facile à sçavoir.* But M. *Colbert* took the Discourse from him, and

and pursued it with some Heat, saying, it imported not what other Kings had done; that the Emperor and King of *Spain* may do what they pleased in their own Courts, but that in theirs, the *French*, they should still follow their own Rules, and not tie themselves to any others; that M. *Pompone* knew very well what had been practised in *France*; that M. *de Serinchamp*'s Allegations would signify little, unless he could produce a Copy of the King of *France*'s Letter of Recreance to the Duke of *Lorain*, wherein he took Notice of his Minister as Ambassador; that he knew M. *Gombervaux*, who, tho' employ'd by the King his Master in the Finances of that Country, yet was himself a *Lorainer*; and must be a very old Man, if he was still alive. This he seemed to say, as reflecting upon that Person's Testimony; and withal added, that it was usual with Kings, upon the sending Ambassadors to some determined Place, to order them to call by the Way at other Courts in the same Character; which he seemed to say, on Purpose to elude this Precedent, in case it should prove true; and added a great deal more, which looked to us, upon the whole, as if this were a Matter upon which they did not desire to enter further, or to be informed. Thereupon we told them, that we had not read the Paper but at their own Desire, and they best knew, if it deserved any Reflexion or no: That however, they might please to remember, that they themselves had given an Occasion for it, by desiring me Sir *William Temple*, upon the Communication of a former Letter from M. *Serinchamp*, to let him know, that in case he intended to advance any such Pretension, he would do well to send me Instances that might serve for Precedents in the Matter. This Discourse fell upon these Terms, without their desiring, or our offering any Transcript of the Paper, or any Part of it.

At the same Conference, we delivered the two *Danish* Passports, which we had newly received from the *Hague*, and have given you a larger Account of what passed therein, since we observed both the Discourses and Dispositions of the *French* Ambassadors to differ now from what they seemed heretofore to do, both in the Impatience and ill Humour they expressed, upon the Delays of the Confederates in the Treaty, and likewise in their Arguments upon the *Lorain* Affair, which they have formerly told us should be governed by Precedents, and desired Information of what had passed in it, even in other Princes Courts, without the Restriction they now made to the Practice of their own. But of all this we took no Notice to them, not esteeming it fit to let fall any Thing upon these Occasions, without his Majesty's Orders, that might be interpreted to look either like His Opinion or our own. We have nothing else to add, beyond the Professions of our being always, Sir, &c.

W. Temple.
L. Jenkins.

Nimeguen, 16*th August*, *O.S.* 1676.

Right Honourable Sir,

Our last was of *Saturday* the 12*th*, since which we have the Favour of yours of the 8*th* Current, and therein your further Directions for our Offices here in the Matter of Passports.

We have by ours of the 5*th*, given you an Account of our Instances made to the *Dutch* Ambassadors, for Passports to the *Bavarian* Ministers,

sters with the Title of *Ambassadors*, and of their Promise to use therein their Diligence with the States. As for those for the Duke of *Lorain*, with the Title of *Ambassadors* to his Ministers, and also for those for the Dukes of *Hanover* and *Holstein*, with the Titles of Ministers and Plenipotentiaries, we shall be sure to imploy our Offices with the *French* Ambassadors the first Convenience. It having pleased his Majesty to think a Publick Place of Conferences not only convenient, but necessary for this Work, according to the Practice at *Breda* and *Cologn*, we shall think it our Duty to promote the establishing of it, as much as in us lies. But the *French* Ambassadors having declared unto us, that the Objections they made against it, tho' delivered to us as their private Sentiments only, yet that whensoever we, in virtue of the Mediation, should propose to them any such Place, and the Use of it, we should then more fully and formally receive their Reflexions upon the whole Matter. We do humbly desire we may have the Honour to receive his Majesty's particular Directions in the Point; 1. Whether we shall make such a Proposition to them formally, as from the Mediation: In the next Place, whether, in case his Majesty orders that such a Proposition be made, it may not, however, be thought fit to defer it, till some other Ambassadors arrive at the Congress, whose Assistance in it we may expect; whereas we have Reason to believe, the *French* will certainly oppose it.

On *Sunday* we had Speech with the Burgomaster *Fagel*, and with a Deputation of the rest of the Magistrates of this Town, that attended us at an Hour he had taken from us, upon a Desire we had intimated a good while since, of an Opportunity to speak with him and his Collegues. We let them know it was his Majesty's Pleasure, that we should be always ready to consign into the Hands of the Justice of this Town, such of our Domesticks as should be guilty of any Crime against the Peace and Publick Government of this Place; and that it was his Majesty's Pleasure, that Justice should be done upon them according to their Demerits; and that we should not take upon us to withdraw or protect them from the ordinary Course of Justice, in virtue of the Rights and Privileges of that Character, wherewith it had pleased his Majesty to honour us.

Their Answer was very civil, that they would, at this our Request, be ready to apprehend any that should be faulty, but that they should be loath to proceed against them without our Privity in all Points. But we told them it was his Majesty's express Desire, that Justice should be done in all such Cases, without Regard to Privilege, according to the Laws and ordinary Practice of the Place. We should have acquitted ourselves sooner of this his Majesty's Pleasure, but that the Burgomaster has been out of Town, and that we did not think it so convenient to do it to such as supplied his Place by Deputation.

An Envoy of the Elector of *Cologn* (as Prince of *Liege*) passing through this Place to the *Hague*, where he hath resided several Years, did on *Monday* last call upon us, and in his Master's Name desires the Interests of the Elector might stand recommended to his Majesty, as a Prince that has had the Honour to be in Alliance with him, and to have suffered extreamly by that Alliance: He named no Particular, but that of the Elector's Right to one Moiety of the Jurisdiction of *Maestricht*. He did complain much of the Insolencies of the Subjects of *Liege* against their Prince his Master; but seemed to apprehend much more, upon some Discourse he had had with the Mareschal *d'Estrades*, of the *French*, who were resolved, he said, to fall upon them of *Liege*

as great Enemies of *France*, if *Maestricht* should hold out, and still subsist in the Possession of the *French*.

We have no more to add, but the Assurance of our being, Sir, &c.

W. Temple.
L. Jenkins.

Nimeguen, 19th Aug. O. S. 1676.

Right Honourable Sir,

SINCE our last of the *16th*, we have none of yours to acknowledge, but have obeyed the Orders your last of the *8th* brought us, to perform our Parts here of those Offices his Majesty continues there, for procuring the Passports still wanting for *Lorain*, *Bavaria*, *Hanover*, and *Holstein*, in the Stiles you are pleased to mention. When we communicated these Orders to the *French* Ambassadors, as well as the Advice we had received, of his Majesty's Instances made to M. *Courtin* for the same Purpose, they professed not to have heard one Word from M. *Courtin*, of his Majesty's having ever yet made any such Desire, as that of Passports for *Lorain* with the Stile of *Ambassador*; but promised coldly to represent to their Court, by the last Night's Ordinary, what we had communicated to them; tho', they said, their Offices could signify little in a Matter where his Majesty had been pleased to imploy his own.

The *Dutch* Ambassadors promised to acquaint their Masters with the Desires of the Dukes of *Hanover* and *Holstein*, as recommended by his Majesty, and made no doubt of procuring the Passports necessary. Those for the Elector of *Bavaria*, we have already received from the States, and resolved to put them into the Hands of the *French* Ambassadors, who desired it of us, and from whose Hands we received the Letters transmitted to his Majesty from that Duke concerning this Matter; nor do we indeed know any other Conveyance at present for them.

We are here in Expectation of hearing every Hour the Success of what is like to pass between the two Armies before *Maestricht*, which in Appearance will be the most decisive Action that has yet happened in the Course of this War. We are, &c.

W. Temple.
L. Jenkins.

Wednesday, Nimeg. 23th Aug. O. S. 1676.

Right Honourable Sir,

OUR last was of *Saturday* the *19th*, we have since the Honour of yours of the *15th* Current; in which we do not find any particular to account for, besides that of our Thanks for the Copies therein inclosed.

On *Monday* Evening late arrived here Messieurs *Oxenstiern* and *d'Olivenkrantz*, Plenipotentiaries for *Sweden*; between 8 and 9 that Night they notified to us their Arrival by their Secretaries, the one after the other. We told the Secretaries, that we should not fail to return their Masters our Complement next Morning (which was yesterday) at the Hour of 9; conceiving (as we told them) that would be a Time

Time not unseasonable for the Ambassadors to receive our Complements, and to give us their Hour to make them our Visit in. This our Secretaries executed accordingly, and had (upon their asking) the Hour of three in the Afternoon assigned for our Visit. M. *Oxenstiern* adding that Reason for it, that he had already given an Hour in the Morning to the *French* Ambassadors.

We visited M. *Oxenstiern* first, being yet in his Inn. After the usual Complements made and returned, there passed little of Moment in our Conversation, only the Ambassador excused himself very much, that he had not received us at our Coach Side; his People, he said, having told him, it was not our Coach, but our Gentleman's, that they saw approaching: This gave us an Occasion to excuse, and to give an Account of our coming, but with one Coach and two Horses, and with no more but two Pages and four Lacquies a Piece; it having been a Model, we told him, that we had proposed to ourselves, and also laid before the other Ambassadors upon the Place for their Practice, if they so pleased; that as we had already put it in Practice by our joint Visits both to the *French* and *Dutch* Ambassadors, so we could not go out of it to any others without Injury to those we had already visited. Besides, we had had the Honour of his Majesty's Approbation and Encouragement in the Thing.

To this the Ambassador replied, that he had heard of the Thing before his coming away from *Sweden*; and had heard it discoursed and considered of since his coming to this Country; that as it had met with a general great Approbation every where he had heard it talk'd of, so it did with him; and that he, for his Part, was both ready and desirous to conform in all Things to our Model.

From him we went straight to M. *d'Olivenkrantz*'s House, where, after the Complements passed, he told us, how Monsieur *Colbert* had been already entertaining of him upon the Business of the Neuter Country; he first repeated, and then answer'd the several Arguments M. *Colbert* had used to him, which we do not repeat here, they being no other but those we have already troubled you with very often; in sum, he declared himself freely enough to differ from M. *Colbert* in Opinion, and to have entered very far into the same Apprehensions that his Majesty is pleased to have, of the Dangers that this Congress is in, as long as it is not fenced about with a Neutrality, establish'd by an express Consent of Parties.

We were the glader to find him, and the more desirous to confirm him all we could in that Opinion, for that we are driven oftner than we would otherwise do, to contend (with M. *Colbert* especially) for the Reasonableness of such an Establishment; and this we do, not as for a Point in Difference between the Parties, but as for a Proposition originally made by his Majesty, and long since consented to in the Gross by all Parties; nor do we think the *French* can here justly tax us with any Partiality for the *Dutch*; since they, the *Dutch*, make it no Part of their Pretensions, but are contented to have all Neutrality bounded within the Ramparts; and since there is a Necessity of settling it one Way or other, in Regard of the Hazard that the very Being of this Congress is in, while the *French*, on the one Side, maintain, that they may, by the Law of Nations, use and enjoy the *Environs* of this Town, as a Neutral Country; and the *Dutch*, on the other Side, as positive in a contrary Sense of the Law of Nations; besides, that the States have declared expresly and solemnly, that they cannot consent to the Liberty that the *French* pretend to take in this Point.

We had found, (as we had already told you) that these Ambassadors had given the Hour of eleven in the Forenoon to the *French* Ambassadors, for their Visit; and that of three in the Afternoon to us; and therein done (as we humbly conceived) a Disrespect to the Mediation, in Regard they ought to have reserved the first Hour to us, who had been first sent to, and would have returned their Complement, and would have taken their Hour immediately; but that M. *Oxenstiern's* Secretary being asked, whether it would be seasonable at that Time of Night (for it was about nine of the Clock) to return his Master's Complement, and to receive his Hour for our Visit, made Answer, it was grown late, and that the Morning would be more seasonable, or to that Effect.

This we thought was not to be passed over, without taking notice of it; and the Business being nice, (as all those of this Kind are) we concerted and agreed beforehand the very Words, in which we thought our Resentment was to be expressed, which were these that follow:

" Quil se pourroit souvenir qu' hier sur le neuf heure du soir leurs
" Secretaries venants pour nous donner parte de leur arrivée nous les
" avions assurez, que le lendemain aumatin nous ne manquerions
" point de leur envoyer nos Compliments & demander heure pour leur
" donner Visite, & méme que nous avions demandé d' un de leurs
" Secretairs, se on envoyeroit se soir, sur quoy il à temoigné de croire
" que ce seroit assez à temps ce matin puisque il estoit si tard le soir.

" Que nous avions crû la dessus que s'ils eussent reserve ce matin
" pour nôtre visite, cen'auroit eté que ce qui estoit deüe à la Me-
" ditation.

" Que nous n' aurions pas fait, cette reflexion, que sur la croyance,
" que pas unde les Ambassadeurs disputeroit ce premier respect non plusque
" le pas & le rang aux Mediateurs, & que méme à *Cologne* sur le point
" de la premiere visite, les Ambassadeurs de sa Majesté avoient ac-
" cordes de la faire aux Mediateurs sans lavoir mesme premierement,
" receu ce qui à esté fait par Monsieur l' Ambassadeur *Jenkins*.

We resolved to make our Complaint to M. *d' Olivenkrantz*, as a Person that we had seen and conversed with before, rather than to his Collegue, to whom we were yet utterly Strangers.

M. *Olivenkrantz* apprehended the Thing presently, and ingenuously enough gave us an Account how that whole Matter had passed. M. *Oxenstiern* and himself having had, he said, a Deliberation upon the Matter of Notification and first Visits; they had agreed the first Notice was to be sent to us, and ordered it accordingly; this he thought their Secretaries had done, as they were directed. That it was his (M. *Olivenkrantz*) Opinion, that the Time of giving the first Visit was due, and to be reserved to us the Mediators, tho' we should happen not to be the first in Order that should send to demand their Hour for it. That in this Point, M. *Oxenstiern* differ'd from him, and was of Opinion, that whoever first demanded an Hour, should have it first assigned him, and that he had urged Presidents to this Purpose, which made him, *Olivenkrantz*, defer for that Time to his Opinion, as a Person that had been upon many Embassies before, and he not.

That when our Secretaries came to take an Hour from him, he had examined the Matter no further, than to give that Time, if it stood with our Conveniency, as we could soonest spare, after we had visited M. *Oxenstiern*; that M. *Oxenstiern* gave the Hour, and that he only considered his Time and our Conveniency, but had not seen him or spoken with him, about assigning us an Hour upon the Demands our

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Secretaries had made of it, and that consequently the giving of an Hour to the *French* before us, could not properly be charged upon him.

THAT now the Thing be so done, it was not, he said, possible to undo it again; that therefore they must endeavour to repair that Error, which he knew no other Way of doing, but by rendring us our Visit first, and before they should render it to the *French.*

THE Issue was, that having sent last Night to take our Hour, they both gave us the Visit this Forenoon one after another, in which M. *d'Olivenkrantz* took Occasion to assure us both, (having thank'd us for our Confiance in him) that they did now give us the first Visit, and that their Error was, in believing the Ambassadors here intended not to make them Visits of Ceremony, till they should be in a better Condition to receive us, which they had signified to us by their Secretaries they were not yet; M. *Oxenstiern* being lodged in an Inn, and he, M. *d'Olivenkrantz*, in a House not yet furnished.

THIS Morning the *Dutch* Ambassadors called upon us, by Order, as they said, of their Masters, it was to enquire in what Capacity, and upon what Interest, the Dukes of *Hanover* and *Holstein* desire Passports, to assist by their Deputies at this Treaty: Their Allies, they said, they are not; and they would know, whether they desire it as Allies of the other Side, they supposing that the Instance had been made directly and immediately to us; but as soon as they understood we had not moved for these Passports, but by his Majesty's Orders, they said, the Passports were dispatched, and in their Hands ready to deliver us.

ONE Thing more they added, it was the Desire of the States, their Offices might not be pressed for the obtaining of more Passports than is already granted for the Bishop of *Strasburg.* Not that they make any Difficulty of their Side, but that they find their Allies extreamly averse to move further in that Affair; the Person being particularly unacceptable to the Emperor. We are, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 26th August, O S. 1676.

Right Honourable SIR,

SINCE ours of the 23*d*, we have none from you to acknowledge, and little to trouble you with from hence.

THIS Day the *French* Ambassadors gave us an Account of their having received all the Passports mentioned in the late Memorial from the *Dutch* Ambassadors, and of their being ready to exchange them, whenever the reciprocal Passports from those *German* Princes should be arrived here.

FOR that of *Lorain*, they told us, the King their Master ptetended no Way to Prejudice the Right of that Duke, in Case he could make it appear, that the Crown of *France* had ever received Ambassadors from any of his Predecessors. But on the other Side, if no such Thing had ever been practised, he could not think fit to establish such a new Right for the Duke of *Lorain* upon this Occasion.

IN the third Place, they told us, they were commanded to make a Remonstrance to us, of the Hardships put upon the Bishop of *Strasburg* by his Passports from the Elector of *Brandenburgh*, which implied the same to be likewise contained in those from the Emperor, obliging the Ministers of that Bishop, to make their Journey hither by the same Way which

which the *French* Ambassadors had taken; whereas he had many Papers that lay at *Strasburg*, and other Places distant from that Road.

All these Particulars we immediately communicated to M. *Van Haren*, the only *Dutch* Ambassador at present here, who promised to represent the whole by this Night's Ordinary to his Masters. We remain always, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 30th August, O. S. 1676.

Right Honourable Sir,

Our last was of *Saturday* the 26*th*; since which, we have the Favour of yours of the 22*d* Current to acknowledge.

We shall with all the Care we can apply ourselves so to perform the Duties of our Function and Figure here, as to prevent in all Occasions, so far as lies in us, the multiplying of unnecessary Troubles to his Majesty or your self.

If we have troubled you with an Account of the Demand of Passports that was made for the *Lorain* Ministers, with the Style of Ambassadors, before we did ask them of the *French* (as now we have done) in Form; it was because the first Overtures of that Demand came from M. *de Serinchamp* only, and not from the Allies. We thought they might be worth your Notice, tho' we could not think them Grounds sufficient for us, as Mediators, to make our Instances upon to the *French* Ambassadors. We prepared them with the Overture by Way of Conversation only; but as soon as the *Dutch* Ambassadors acquainted us with the Desires and Resolutions of their Masters in that Behalf, we made our Instance, without expecting further Order from that Side.

It is just so with us now in a further Step we are making in the same Affair. M. *Serinchamp* sent me (Sir *William Temple*) some while since, a Paper of Precedents, whereby he pretends to make out his Master's Title and Right to send Ambassadors: This Paper we have transmitted to you some Posts since, and we have discoursed the Contents of it to the *French* Ambassadors, with Intimation enough, that a Copy of it should be given them, if they should so please; but as they did not allow this coming from M. *Serinchamp* to be authentick, so we could not ground any Office upon it as such; but now that the States have sent it to their Ambassadors here, with their Resolution upon it, we shall, as soon as the *Dutch* Ambassadors shall bring it us, (as they have already told us they will do very suddenly) give it in to the *French* Ambassadors in Form, with our Instances upon it, without expecting his Majesty's particular Directions in that Point.

We shall be very careful to sound both the *Spanish* and *Imperial* Ministers, as soon any of them arrive here, (and *Don Pedro de Ronquillo* has been expected here these two or three last Nights) what their Judgment is of that Pretension of the Duke of *Lorain*, if it should come to be set up in their Courts; but we have nothing of Light to hope from the Passports of any of the Allies, for we find already by M. *de Haren*, that the Allies (his Masters at leastwise) do neither give nor receive Passports the one from the other.

Yesterday M. *d'Estrades* enlarging himself, in a particular Conversation with me Sir *Leoline Jenkins*, upon the Relief of *Maestricht*, and upon the Reputation and Advantages it gives to the *French* Affairs, was

was pleased to say, that now the *Hollanders* must needs speak out; that the States of *Holland* are at this Time assembled; and that M. *Beverning* being gone to the *Hague*, will probably bring from them some Resolutions of Importance to the Business of this Peace.

That they, the *French*, will be out in *March*, if the Peace be not made in the mean while, and will besiege and take more Towns in *Flanders*; and that it will not be in the Power of the *Spaniards* and *Dutch* to hinder them, there being such Stores and Provisions of all Sorts in all the Places that the *French* have conquered, that they will have done their Business with Ease, before the other can make a Head considerable enough against them: That the lesser Towns in the *Spanish Netherlands* will now be taken in with Ease; and that the greater (he named *Antwerp* and *Ghent*) will turn and declare themselves Republick; and that they, the *French*, will receive them as such: That *Sicily* is now upon its last Legs; and that it is a goodly Sight to see the strong Fleet of above 50 Sail, that is lately set out to reinforce the *French* Strength in that Island; and that there is not a *Spaniard* or a *Dutchman* that appears in those Seas. That the appearing of so great naval Force upon the Coasts of *Italy*, was very seasonable at this Time, *parce que* (said he) *cela aidera beaucoup à faire un Pape*, saying withal in Raillery, that he knew well that we Protestants are not much edified with such kind of Elections.

In a Word, that if the *Dutch* or *Spaniards* did expect that the Most Christian King should render what he had conquered, they would be deceived: He was not to be brought to it. *Nous ferons toutiours la guerre*, was his Conclusion. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen, 2 d Sept. 1676.

Right Honourable Sir,

Since our last of the 30*th* past, we have none of yours to acknowledge; yesterday the *Dutch* Ambassadors came to us, being the Day after M. *Beverning*'s Return from *Holland*; they told us, they came only to repeat the Desires of the States and their Allies concerning the *Lorain* Passports, and Stile of *Ambassadors*; and at the same Time to put into our Hands a Paper they had received from the States, containing the Instances of the Right and Practice of those Dukes in this Point, which they desired might be put into the Hands of the *French* Ambassadors: They said, they had sooner brought us this Paper, but that they knew it had been formerly sent to me, Sir *William Temple*, from the *Hague*; so that they had esteemed it needless, till we told them that we had not thought ourselves obliged to deliver that Paper formally to the *French* Ambassadors, which had come only to me Sir *William Temple*, in a private Dispatch from M. *Serinchamp*. I told them it was true, and that having taken no formal Notice during my Residence at the *Hague*, of what came to me only from one particular Minister of the Allies, without a Deputation from the States, We should think fit to observe the same Course here, in what might be transmitted to us from the *Hague* by any of the Ministers there, and should expect to receive from them, (the *Dutch* Ambassadors) whatever the States or their Allies desired us to propose to the other Parties, in Pursuit of his Majesty's Mediation; at least we thought this ought

ought to be the Method, until the Plenipotentiaries of their Allies arrived at the Congress; after which, they, the *Dutch* Ambassadors, could best tell, whether they intended the several Propositions should be made apart by each Party, or jointly by them all. M. *Beverning* answered, that the first Method should be observed till the Arrival of other Ambassadors, and perhaps might be followed afterwards in the Preliminaries which had hitherto been managed by the States, by Concert with the several Ministers of their Allies at the *Hague*; but that when they came to treat of the Business itself, he supposed each Party would negotiate their own Interests, and make their Proposition upon them to us, the Mediators. M. *Van Haren* took up this Discourse as it fell here, and added, that this would be done however, upon a previous Concert among the Allies. M. *Beverning* said after a careless Manner, that must be done to prevent the Proposal of Things that might be otherwise inconsistent one with another.

After this, they changed the Discourse, and told us, that M. *Van Beuninghen* had writ them Word, that *France* having given Passports to the Duke of *Newburgh*, with the Stile of Ambassadors to his Ministers, now called for them back again; but that the said Duke refused to deliver them, and now sollicited his Majesty *d'appuyer son droit* upon the Point. I, Sir *William Temple*, told him, that this Matter having passed thro' my Hands at the *Hague*, I could assure them that M. *Van Beuninghen* was mistaken, and that no Passports had yet been delivered from *France* to the Duke of *Newburgh*, but that they lay still in my Hands ready to be exchanged, whenever they, the *Dutch* Ambassadors, should bring me Passports from that Duke for *France*; and that I was very sure these Passports I was possessed of, ran only in the Stile of *Ministre* and *Plenipotentiaire*. They said, it was certain there had been such Passports, for upon that Ground, not only the Ministers of *Newburgh*, but of the House of *Brunswick* too, had sollicited the States to procure them Passports with the Stile of *Ambassadors*. I told them, I would not answer whether ever any such Passports had been signed or no; but I would, that no such had ever been either delivered, or so much as communicated to the States, or any of their Allies; and therefore if any such had been, they could not be looked upon as Passports, but useless Papers; and we supposed both the States would consider, whether it was fit to desire his Majesty's Offices, and his Majesty likewise, whether it was fit to imploy them, in the Demand of a Point that could pretend no Sort of Precedent, which was the equalling the other Princes of *Germany* with the Electors; since these had not only imployed their Ministers to several Courts of *Europe* with that Character, but upon much Debate had it likewise formally allowed them at the Treaty of *Munster*. Whereas no other Prince of *Germany* had either pretended to it there, or used it in any Court of *Christendom*, that we had ever heard of.

Upon that Incident in our Discourse with the *Dutch* Ambassadors, which fell in by chance concerning the Way designed of treating the several Interests of the Parties, either separately or jointly, we have thought it might be necessary for us to receive some Instructions from his Majesty; Whether, in case any one of the Parties (according to what seems at present to be M. *Beverning*'s Sense or Scheme of this Matter) should put their Demands or Propositions into our Hands, to be offer'd to all the other Parties jointly, we should proceed upon it in the same Manner, as if it came to us from the whole Alliance of one Side, to the whole of the other? What we should likewise do, in

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case such Proposition should come to us from one of the Parties of the one Side, and to be offer'd only to one of the Parties of the other Side? And what we are to do, if we discover that such Propositions are intended to be secret, or separate from the rest, either of one Side or the other?

THIS we think the more seasonable at this Time to desire the Knowledge of his Majesty's Mind in, because we conjecture, from what falls sometimes in Conversation here, that some of the Parties, perhaps of each Side, may endeavour this Winter rather to fall into separate Measures with some of the others, than sincerely to advance the General Peace.

THIS Morning we delivered to M. *d'Estrades* the Paper abovementioned, given us by the *Dutch* Ambassadors, concerning the Duke of *Lorain*'s Pretensions, who received it without other Reflexions, than that they should transmit it to Court: But this Afternoon he came to us in some Heat, and said, that having perused the Paper, they found it was the same with what we had before offered them; that they had then given an Account of it to Court, and received for Answer, that in case the King their Master found any such Practice upon his Registers, he would consent to it now; but in case he did not, he should refuse it. That they, the *French* Ambassadors, saw the States would impose Things upon them which they had already answered; and their Master would be willing, upon such Usage, to recal them from hence. We answered him, that this Paper had never before been given either us or them by the *Dutch* Ambassadors, or from the States; and that tho' it were true, we had formerly received it from M. *Serinchamp*, and read some Paragraphs of it to them, the *French* Ambassadors, upon their own Desire, and for their private Satisfaction, yet we had neither offer'd to leave any such Paper with them, nor had they desired to hear the whole read. M. *d'Estrades*, tho' he grew sensible of this having been the true Course of this Affair, yet continued his Heat, in repeating again, that the States did nothing but trifle and raise Difficulties, and that their Master was very willing to recal them from hence; but ended all, in desiring us to procure Passports for the Bishop of *Marseilles*, the *French* Ambassador to the Crown of *Poland*, which we have undertaken to desire from the *Dutch* Ambassadors. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen, 6th Sept. O. S. 1676.

Right Honourable SIR,

OUR last was of *Saturday* the 2*d* Current, since which we have none of yours to acknowledge.

ON *Monday* last M. *d'Avaux*, upon second Thoughts, as he said, enter'd into by him and his Collegues, delivered us those Passports that he had shew'd us, which came to their Hands on the 26*th* past, as we advised you by the Ordinary of that Day.

THE Passports are for the Prince Elector *Palatine*, for the Electors of *Mayence* and *Treves*, and for the Bishop of *Munster*, three for the Elector of *Treves*; and two a-piece for the other.

THE Reason, he said, for their consigning these Passports to us at this Time was, that they, the *French* Ambassadors, thought the Pass-

ports so deposited, would not only be the more ready for an Exchange, but also would be a clearer Evidence in our Hands, than they could be in theirs, of the Advances that are still made on their Side for the filling up of this Congress, and consequently for the Business of it when it is full.

He told us further, that they had had fresh Letters from Court, touching the *Lorain* Passports, of the same Tenor with the former; their King being resolved not to grant new Passports for that Duke, as they are now desired, unless he be satisfied out of his own Registries, that Ministers from *Lorain* have been heretofore received in the Quality of *Ambassadors* in that Court.

M. *d'Avaux* added, that M. *Courtin* advises them here, how that he, when he was sent some Years since to the Treaty of *Hailbran*, had made a diligent Search before he went, in their Registries, touching the Titles that the Ministers of *Lorain* had been received under in that Court; and that he remembers very well they met not with any Thing that shew'd there had been any received with the Stile of *Ambassadors* at any Time in *France*.

We are told from several Hands, that the Princes of the House of *Brunswick* will insist to have Passports for their Ministers, like those which the Electors have obtained, with the Stile of *Ambassadors*; the Instance for such Passports cannot regularly come to us, but by the Way of the *Dutch* Ambassadors, in the Name of their Masters and their Allies. We therefore humbly beg the Honour of his Majesty's gracious Directions, what we are to do, in case the *Dutch* Ambassadors should come to demand our Offices in this Behalf, this being a Step that we cannot make, as we humbly conceive, without knowing first his Majesty's Pleasure, both in Regard he hath an Interest in common with other Crowned Heads, (and not at all as Mediator) in the Resolutions that shall be taken upon such a Demand when it is made; and likewise in Regard we lately found ourselves instructed by your Orders, to demand Passports from the *French* Ambassadors, for the Duke of *Hanover* as well as *Holstein*, with no other Title than that of *Ministers* and *Deputez*.

M. *d'Olivenkrantz*, in a Conversation that I, Sir *Leoline Jenkins*, had with him yesterday, complain'd very much of the Stop that is made of their Letters in *Denmark*; and that he and his Collegue having received none from *Sweden* since their Arrival in this Country, intend to represent it to us very shortly in a Memorial; the Requisition that is made to them of procuring Passports for the new Elector of *Treves*, and likewise another Passport for the Emperor, (in lieu of ours that has a Clause omitted in it) making it necessary for them to shew us the Impossibility of complying with us, or with the Allies, in any such Demand, unless there may be a free Passage through *Denmark* for their Letters.

He did not pass over this Subject without a Remark; that it was a Wonder to him, that M. *Campricht* at the *Hague* should desire the *Swedish* Passports might run to the Plenipotentiaries *pro Imperatore & pro Imperio*; for in one of the Passports of *Sweden* it run, it seems, *pro Imperatore*, and no more; in the other was added, *& pro Imperio*: He, M. *d'Olivenkrantz*, not thinking, as he said, that the Emperor, tho' now higher than ever, would take upon him to send Plenipotentiaries in the Name of the Empire, as well as in his own; and if he did, that the Diet at *Ratisbone* would not allow itself to be well represented by any Plenipotentiaries but of their own choosing.

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Some *Germans* that bore Civil Offices in the Service of the *Swedes*, in the Dutchy of *Bremen*, being now retired to *Hamburgh*, *Lubeck*, and other Places, have lately adviſed them, the *Swedes* Ambaſſadors, that there is a new Treaty very lately made and concluded between the Emperor and the Elector of *Brandenburgh*, whereby they mutually engage not to treat of a Peace till the *Swedes* are driven quite and clean out of *Pomerania*.

This he, M. *d'Olivenkrantz*, ſaid, he asked M. *Beverning* about two Days ago, who told him, he knew nothing of any ſuch Treaty, nor ever had heard of it; but, on the contrary, that his Maſters would, e're long, come to a Reſolution, to fix a reaſonable Day to their Allies, by which, if they did not ſend their Miniſters here, they, the *Dutch* Ambaſſadors, would, without any more ado, begin to treat apart. We find the Inhabitants of this Town, and of the Country about it, begin to have Apprehenſions of the *French* Parties in the *Maes-Walt*, and the more, upon the Threats of the Mareſchal *d'Eſtrades* to ſeveral of them: All which, we doubt, will not happen without ſome ill Conſequences to the Congreſs, or without ſharpening the Humours of each Side: We cannot conceive, that if *France* could be prevailed with to conſent only to one League about this Town, to be free from all Incurſions of armed Men, but that it might have the ſame Effect as that of two Leagues, that was once propoſed by *France*: And we gueſs, by the Diſcourſes of the *French* Ambaſſadors here, that there will not be much Difficulty in *France*, to give that narrow Extent, to the Honour and Safety of the Congreſs, even without Contribution, which will be very inconſiderable within that Compaſs, and very difficult to be levied. We are, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 9th Sept. O. S. 1676.

Right Honourable Sir,

SINCE our laſt of the *6th*, we have the Favour of one from you of the *1ſt*, with his Majeſty's Directions concerning the formal propoſing a Place of Publick Conference to the Miniſters here; wherein, as in all other Matters in which we have the Honour to know his Majeſty's Pleaſure, we ſhall not fail to purſue it, in the ſame Manner that is preſcribed us: We may have Occaſion very ſhortly to make this Pace, ſince M. *Beverning* juſt now aſſures us, that *Don Pedro de Ronquillo* and *Chriſtine* will be here next Week, and likewiſe that the States of *Holland* have made a Reſolution, of fixing a Day for beginning the Negotiations here, in caſe the Miniſters of their Allies ſhall not arrive at the Congreſs by that Time. We ſuppoſe there will be no Difficulty of the States General agreeing with thoſe of *Holland* in this Matter, nor of their fixing as ſhort a Day as can well be allowed for the Journeys of the Ambaſſadors from *Vienna*, which is the greateſt Diſtance. M. *Beverning* at the ſame Time gave us a Tranſcript of another Reſolution, concerning the Pretenſions of the ſeveral Princes of *Germany* to the Stile of *Ambaſſadors*, to their Miniſters deſtin'd to the Aſſembly, whereof we ſend you a Copy here incloſed, and which ſeems to excuſe the Thing as far as they can find it convenient to do, in a Matter which may lay the Diſtaſt of ſuch a Refuſal upon them, and thereby diſoblige ſome of thoſe Allies, whom they eſteem

 very

very necessary in the present Conjuncture. We find nothing more of Moment to encreafe this present Trouble, but the Assurances of our being, *&c.*

W. Temple.
L. Jenkins.

Nimeguen 13th Sept. O. S. 1676.

Right Honourable SIR,

SINCE our laft, which was of *Saturday* the *9th*, we have not any of yours to acknowledge.

YESTERDAY M. *Blafpiel* paffing throw this Town from *Cleves* to the *Hague*, did vifit us at an Hour he fent to take; he did not fay, that he was come to fpeak with us upon any particular Bufinefs, excepting that of recommending his Mafter's Intereft to his Majefty's Care and Protection.

HIS Difcourfe was much in generals; that he was ready to render himfelf here, and had Orders fo to do, whenever we fhould defire him; that without our Summons, none (he thought) expected them the Minifters of the Electors to be here, till the Minifters of the Emperor their *Chief* were upon the Place; that it would be found, his Mafter the Elector would bring all Eafinefs towards the Peace, that could reafonably be expected from him; and that the Conclufion of the Peace fhould not be retarded one Day the longer, for any particular Intereft of the Elector's; that he was forry there were new Accroachments likely to arife, from the Pretenfions of other Princes of *Germany*, to fend their Minifters with the Style of *Ambaffadors* as the Electors did; that the Right of his Mafter to fend Ambaffadors, cannot be brought into Queftion, fince that, befide the more modern Examples, there are Inftances of 2 or 300 Years Old, how the Electors of *Brandenburgh* have fent Ambaffadors *gefandt*, as well as Minifters of inferior Order *al gefandt*, (thofe were the Words he grounded his Diftinction upon) to fuch Places and Affemblies, as their Occafions required; but the finding that we made not the leaft Difficulty or Doubt touching the Right of his Mafter to fend Ambaffadors, but only that we did obferve, that the Princes of *Germany* had not demanded Pafports for their Minifters as *Ambaffadors*, but were content to fend them with the Style of *Deputies* and *Minifters* only to this Congrefs, till it pleafed the Elector to demand new Paffports for his Minifters with the Style of *Ambaffadors*; his Anfwer was, that the prefent Elector, his Mafter, had always in his Affairs obferved this Difference, that where he was concerned as Party principal, as in the *Weftphalian* Treaties, and in thofe he has had fince with *Sweden* and *Poland*, he fent his Minifters with the Character of *Ambaffadors*; but where his Interefts were not directly and immediately touched, he fent only Envoys, as he did Monfieur *Schwerin* (now in *England*) to that Congrefs at *Cologn*.

BUT his profeffing that he was here without any Character at all, and defired to be treated by us as fuch, together with other diftant Infinuations that he ufed, makes us Conjecture, that the End of his vifiting us was, to difcover how his Mafter's *Ambaffadors* were like to be treated in Point of Ceremony, when they fhould come to this Affembly.

To this He was told, that the Affembly would in all likelikood govern it felf in thofe Matters according to former Precedents, rather than

make

make any new Examples, we conceiving, as we told him, that those Matters of Ceremony have been sufficiently established already in the Treaty of *Munster*.

He would not own, that the *Ambassadors* of *France* did there treat the *Chief d'Ambassade* for *Brandenburgh*, with Distinction from his Collegues, giving the first the Hand in their House with the Title of *Excellency*, but not to the others; nor indeed that the *French* and *Brandenburghers* did see one the other, during that Treaty, because of a Difference risen between them upon the Words *Majestie* and *Serenitie*.

We did not take upon us to maintain this Point against him, but said in the general, that if any such Question should arise, it would be no hard Matter for all Parties concerned to satisfy themselves what the Practice was at *Munster*.

Here we took Occasion to express our Wishes, that some Expedient might be thought on, to take us off from this new Accroachment about Passports for the Duke of *Lorain* and the Princes of *Germany*, since it was like to be a Hindrance to the compleating of the Assembly; adding, that if the Parties could not be brought to agree in any Expedient, it would be a generous great Thing in his Electoral Highness of *Brandenburgh*, to serve himself of the Passports he had first demanded and received, which were for *Deputez & Ministres*, and no more; in which Case, we thought the Duke of *Lorain*, and the other Princes, would content themselves with the same Stile, and the Duke with the Passports already granted him. And this, we told him, the Elector would judge a Thing that would not derogate in the least from his Right of sending Ambassadors, in Regard it doth appear, that in the first Project, laid for that general Treaty of Peace which was intended to be at *Cologn*, but was afterward held at *Munster*; the Emperor himself was content to send Deputies only, without the Style of *Ambassadors*, as is to be seen in the printed Minutes of those first Passports.

To this M. *Blaspiel's* Reply was, that if the Thing were now entire, his Electoral Highness might be induced to hearken to such an Overture; or if others (he named *Sweden* in particular) would shew such an Example, something possibly might be done; but that the Elector, as Things now stand, is engaged not to recede from his Right, but to assert it; since the Ministers of some of those Princes (he named the Duke of *Lunenburgh*) do give out, that their Masters have no less Right to send Ambassadors than the Electors themselves.

This being over with M. *Blaspiel*, the Ambassadors of *Sweden* having taken an Hour for a Conference with us, (as the Expression of the Secretary was) came and told us, they had their *Plenipouvoirs* in a Readiness; and were desirous, if we so thought fit, to deposite them forthwith in our Hands; and the rather, that in Case there should happen to be any Thing in them to be reformed or alter'd, (as they hoped there would not) there might be the less Time lost on their Side, who were to send so far off as *Sweden*, if Occasion should require it.

We told the Ambassadors, we were ready at all Hours to receive their *Plenipouvoirs* into our Hands, and would be glad to enter with the soonest possible, upon doing those Offices that belonged to our Function in that Case; only that we would take leave to relate to them, how the *French* Ambassadors had made to us the same Offer some Days after their first coming hither, and how we had communicated their Offer to the *Dutch* Ambassadors, and what their Answer, and the Issue then was.

Having

Having related to them the *Series* of that Affair, and offer'd them to go to the *Dutch* Ambassadors this Morning, (since last Night it was so late, that it could not well be) and know their Resolutions upon this Overture; they, the *Swedes* Ambassadors, declared themselves very well contented with this Office we intended them, and would expect to hear what Answer the *Dutch* Ambassadors would give us upon their Proposals.

They did not in this Conference offer us the Sight of their *Plenipouvoirs*, nor had we any further Discourse about it; but they told us, they had another Business or two to communicate to us, and to desire our Offices therein.

The 1*st* was, concerning that Passport, which the Allies have desired might be supplied from *Sweden*, for the Emperor's Ministers; there being some Clauses omitted, in one of those three that came from *Sweden* for the Emperor.

Those Clauses, they said, were of that little Importance in themselves, and there being two Passports already that want them not, that there can be no Pretence from thence for the *Imperial* Ministers to delay their coming to the Congress: That the Ministers of the Emperor have, by the Passports already in their Hands, more of Provision for their safe coming hither, than they the *Swedes* had, who came hither without any Passports at all from any of the Allies, but from the States General alone.

That as to the Passport which is desired for the new Elector of *Treves*, they knew not of his Election, when the Passport come to Hand was dispatched in *Sweden*; that they will write to their King concerning what is desired, and doubt not, but he will give all reasonable Satisfaction in that Particular.

Upon their mentioning of Writing to their King, they took Occasion to enlarge, and appeal to us, upon the Inconvenience they are under for Want of a free Passage for their Letters and Couriers through the Territories of *Denmark*; desiring earnestly our Offices in removing this Obstacle, otherwise that all Negotiation here on their Part must necessarily be at a Stand. For besides that it cannot be well imagined, as they argued, how a Negotiation of this Nature can be well carried on without a free and constant Communication between the Parties principal and their Ministers; they did further alledge, that the Allies themselves had come to a Resolution, to have a Clause for the free Passage of Couriers incerted into the common Form that was projected for the Passports of the one Side and the other; that this Resolution of the Allies had been sent last Year to the Ministers of the States General residing in *Sweden*, who, together with the King our Master's Envoy Extraordinary, got that Resolution and common Form to be approved of, and Passports for all the Allies to be dispatch'd with that Clause.

So that the States, and their Allies, having, say the *Swedes*, first offer'd that Clause for the Liberty of Couriers; and the *Swedes* having accepted it, and by granting their Passports with the Clause desired, executed all that lay to do on their Part, they take this Offer of the Allies, and Acceptance of the *Swedes*, to amount to such a Contract, that the one Party cannot go back from without the other.

They took Notice, there was a Pretext laid hold on, to excuse the Allies from making good this Contract; for that the Most Christian King, will not allow of the like Clause for the Liberty of Couriers in the Passports he grants. To this their Answer was, that as one Man cannot have an Obligation laid upon him from the Fact of another, so

when

when two Parties are engaged in an Obligation or a Contract, the one to the other, such Obligation ought not to be discharged, nor Contract rescinded, by the Fact of a third Person, that is no Party to what the other two have engaged themselves in.

They added further, that what the Most Christian King does, cannot be any Plea in Defence of what is done in *Denmark*; because that the ordinary Couriers that passed through *France* into *Spain* before the War, have their Courses still kept up; but in *Denmark*, all Passages for Couriers and Posts are stopp'd. That the Most Christian King offers Passage to the extraordinary Couriers, that the *Spaniards* shall have Occasion to send through *France*, provided they be content with such a Way as shall be prescribed them, which will prove to be a Way somewhat about; besides that, he offers them all Manner of free Passage between this Place of *Nimeguen* and *Bruxels*; but the King of *Denmark* will allow of no such Thing, which yet he were bound to do, if he pretend to any Colour for what he does from the Colour of *France*.

That which these Ambassadors did finally insist upon was, that there might be full Liberty for sending of Couriers to *Sweden* as often as they should see Cause; and that in the mean Time, they might have the same Benefit in the Passage of their ordinary Posts through *Denmark*, as the *Spaniards* have in the Passage of their ordinary Couriers through *France*, *i. e.* that the Course of the Posts within the Territories of the King of *Denmark* may be as free, and as uninterrupted, as it was before the breaking out of the War.

Having enlarged themselves to this Effect by Word of Mouth, they took out a Memorial in Writing, which when they had read to us throughout, they left with us, and we take leave to insert a Transcript of it herewith.

This Morning we went to the *Dutch* Ambassadors, and having given them an Account, how the *Swedes* had offer'd to deposite their *Plenipouvoirs* in our Hands forthwith; their Answer was, that they hoped the Assembly would be very speedily *en etat* to enter upon such Businesses; that the Pensioner had written to them, that Messieurs *Ronquillo* and *Christine* would be here this Week; that M. *Blaspiel* residing at *Cleves*, is in a Manner within Call; however, that the States of *Holland* have made a very considerable Step, in resolving that a precise Day should be set, upon which the Congress shall be opened, and the Business of it *entamée*, (as M. *Beverning* expressed it) whether the Allies do come or not.

As for the Passage of Couriers and Letters, they could not deny but that some such Liberty must be established, else that such a Negotiation could not well be carried on; that the King our Master had pressed it with all Earnestness to M. *Van Beuninghen*; that the States had given order to their Minister in *Denmark*, to use all Means possible to get it settled; that they, the Ambassadors here, have Orders to press M. *Heugh* upon it, and will be sure to do it when he comes, in Case it be not done at the *Hague*, where he is, with Effect. That the abovementioned Memorial of the *Swedes*, whereof we gave them a Copy, should be sent away to the States their Masters, in their Pacquet by this Ordinary.

You'l find this Letter sign'd by myself alone, for that Sir *William Temple*, after that he and I had been this Morning to give Part to the *Dutch* Ambassadors, of what we had received last Night from the *Swedes*, went, before this Letter could be writ out, towards *Soesdyke*, where he hopes to find the Prince, who had desired him by a Letter,

all

all writ with his own Hand, (which he was pleased to shew me) to let him see him at *Soesdyke*, if it might stand with his Conveniency. I am, SIR, *&c.*

L. Jenkins.

Nimeguen, 16th Sept. 1676.

Right Honourable SIR,

SINCE our last, which was of *Wednesday* the 13*th*, we have the Favour of yours of the 8*th* Current, together with the Copies of the Duke of *Holstein's* Letter to his Majesty, and of a Memorial put in by the Duke of *Newburgh's* Resident.

WE have likewise formerly received those Copies of the Dukes of *Bavaria* and *Hanover's* Letters, mentioned in your *Postscript*, but are not able to give you an Account, how it comes to pass that the *Dutch* Ambassadors have not delivered to us the Passports of the States for the Dukes of *Hanover* and *Holstein*, they having told us above a fortnight ago, that those Passports were come to their Hands, and that they would deliver them to us, being satisfied that the Demand we had made was not upon any immediate Instance made to us by those Princes, but by his Majesty's particular Orders and Directions.

AS to the Memorial of the Duke of *Newburgh's* Resident, M. *Beverning* told us, he had some Account of from M. *Van Beuninghen*, and professed he wondered there should be Words so insolent in it, (that was his Expression) as that the *French* Ambassadors should have none of that Duke's Passports, unless he also were satisfied in his Demands.

THIS Morning M. *Beverning* sent me, Sir *Leoline Jenkins*, (knowing that Sir *William Temple* was not expected to return from *Soesdyke* till this Afternoon) a Billet, to let me know that the States General had appointed the 1*st* of *November* next for the opening of the Treaty here, (*pour l'Overture du Congrés*) those are his Words, as will appear by the Copy of it I herewith send.

THIS comes to pass, I suppose, in Pursuance of the Resolution of the States of *Holland*, which was to prefix a certain Day *pour l'Overture du Congrés*, (that was their Word likewise) in case their Allies do not render themselves upon this Place before that Time, of which Resolution we have sent you a Copy in one of our former Dispatches.

AS soon as I had received this Piece of News, I went to communicate it to the *French* Ambassadors, but spoke only with M. *Colbert*, M. *d'Estrades* being indisposed, and M. *d'Avaux* not in the Way. M. *Colbert* told me, I had brought them that which was very welcome, and so much the more seasonable, if they might rely upon it, as that they, the *French* Ambassadors, had Letters from their King by the last Post, with express Orders to acquaint us, the Mediators, that tho' he, the Most Christian King, had sent his Ambassadors hitherward before any of the Parties in War, and as soon as there was any Appearance that a Congress might come to be formed in this Place; yet that it was not his Meaning, nor could it consist with his Dignity, to let them continue much longer here, without having so much as one Word spoken to them by the *Dutch* Ambassadors that have been here all this while, and without any Ministers in the Behalf of any one of the other Allies, so much as appearing upon the Place; therefore that we, the Mediators, should think ourselves obliged to call upon those of the Allies that had no Ministers yet come hither, and let them know, that

that if they did not send them very speedily, the King would call back his Ambassadors; and all Men would see and judge, they were the Enemies who refused to restore Peace to *Christendom*, and not he, the Most Christian King: This, he said, was signified to them by the King himself in his last Letters, and that they intended to communicate to us in Form with the first Opportunity, which I suppose will be as soon as Sir *William Temple* is returned.

FROM this he fell upon the new Demand that the Princes of *Germany* make for Passports, with the Stile of Ambassadors to their Ministers, which they did meerly, he said, to *accroche* the Treaty, and to render our coming hither, who are already upon the Place, of no Effect.

THAT the House of *Brunswick* may very well afford not only to endure, but to contrive such Delays as these are, whilst those Brothers (some of them) have large Subsidies from *Holland*, and the Duke of *Hanover* the constant Pay of *France*; and all of them Winter Quarters for their Troops upon the Empire, without any Burthen to their own Countries.

THAT the Elector of *Brandenburgh* may also on his Side be very well content to see those *Accrochments* frustrate the End of our Meeting here, as long as he is prosperous in all his Undertakings against the *Swedes*, and has as good Quarters as he can wish for his Army.

THE Close of this Discourse was with some Warmth and Earnestness, that it was impossible there should ever be a Peace made, till *France*, *Spain*, the Emperor and *Holland*, do make it between themselves, and do resolve, as soon as this is done, to give the Law to those Princes of the *North*, and impose a Necessity upon them to enter into such a Peace as shall be prescribed them, since they will otherwise neglect this Assembly, and pursue their Interests and Advantages by the War.

SIR, This Letter I take Leave to sign myself alone, as I did the last, the Post being just upon going, and no Time left to communicate it with Sir *William Temple*, who arrived at this House as this is closing. I am, SIR, *&c.*

L. Jenkins.

Nimeguen, 20*th Sept. O. S.* 1676.

Right Honourable SIR,

SINCE our last, which was of *Saturday* the 16*th*, we have none of yours to acknowledge.

ON *Sunday* the *French* Ambassadors came at an Hour they had sent to take, to join their Instances, as they said, to those the *Swedish* Ambassadors had made some few Days before, for the free Passage of Letters and Couriers through *Denmark* into *Sweden*; they told us, they did it by special Order from the King their Master, who finds himself concerned, they said, to have his Correspondence with that Ally, especially at this Time, free and uninterrupted: That if this be denied, he will be forced to break the Measures that are established for the Passage of Letters through his Dominions, into *Spain* and *Italy*. This, they said, would be of vast Consequence, not only to the *Spaniards*, but also to other Princes and Nations, mentioning the King our Master in particular.

THE next Thing they spoke of, was about the Project we had given into their Hands, relating to the Peace and good Order of this Assem-

bly, at their first Arrival here; they returned it to us again, telling us, that as to the *first Article*, wherein is proposed the bringing of the great Number of Pages and Lacquies to a certain Stint, they had found, that we had opposed nothing to their Reasons for the laying it aside.

The *Second* Article, they said, they did admit of, with the Limitations they had apostilled to it, which are, that those Easinesses which any Ambassadors shall happen to shew in case of Rencounter and Embarrass in these narrow Streets, shall not be drawn into Consequence, either in the Courts of Princes, or in any other Assembly that shall happen to be made for the future; nor yet in this Place, if any solemn Appearance should happen to be made; they instanced in case of Meeting publickly to sign the Treaty. The Article, as 'tis apostill'd, goes herewith inclosed. The three other Articles they admitted of, they said, as very useful, M. *Colbert* having so far put one of them in Practice, that he hath one of his Servants at this Time laid up in the Town-Prison for Misdemeanors.

A *third* Thing they enlarged upon was, to desire us to take Notice how long Time it is they, the *French* Ambassadors, have been here, yet without Fruit or Effect, so much as to enter upon any Business all this while, nor to see any Ministers from any of the Allies (the States General only excepted) so much as appear upon the Place in four Months Time, two of them spent at *Charleville*, to hearken after their coming.

That the King their Master had ordered them to desire us to quicken the Allies, and to take Notice of the unhandsome Return they make by their Delays to so affectionate a Mediation, as that of the King our Master is; that if they did not come in a reasonable Time, after so long trifling, the Most Christian King would be obliged to recal them his Ambassadors from hence.

Upon the first Point they had spoke to, which was touching the Posts through *Denmark*, we answer'd, that we had on the *Wednesday* before handed a Memorial from the *Swedish* Ambassadors to the *Dutch*, attending it with our own Instances upon the Reasonableness, and indeed upon the Necessity of the Thing: We gave them an Account also how well-inclined we had found the *Dutch* Ambassadors, to procure Satisfaction to the *Swedes* in that Point.

Upon the 2*d* Head of their Discourse, which was upon the Project for regulating this Assembly, we had little to reply, since they, and all Parties else, are to be left at their Liberty, to accept or refuse what was there proposed.

Upon the 3*d* Head, which was, that the Allies should be called upon to hasten away their Ministers hither, else that they, the *French* Ambassadors, would be called back in a short Time: We answered, that we hoped that the incessant Pains taken by his Majesty for the forming of this Assembly, was so well known to them, and to all the World, as not to need enlarging upon at that Time; and that now it hath had that good Effect, as to bring the States General to a Resolution, to fix a certain Day, the *first* of *November*, for the opening of this Assembly, and entering upon the Work of it.

This Instance of the *French* Ambassadors, about the Passage of Letters and Couriers through *Denmark*, we presently acquainted the *Dutch* Ambassadors with; they said no more to it, but protested of their Diligence in the Thing; only M. *Beverning* made it his Remark, that the Most Christian King refusing to grant the Clause for the Liberty of Couriers in his Passport to the Allies, was the sole Cause of this Embarrass.

On

On *Monday*, M. *Oxenſtiern*, in a particular Viſit he made me, Sir *Leolins Jenkins*, told me, he came to acquaint me, there was great Danger this Aſſembly would be ſuddenly broke up; his Intelligence, he ſaid, was from a very good Hand in *France*, and he thought, the Way to bring it about would be, that the Confederates would perſiſt in their wilful Delays, and conſequently the Moſt Chriſtian King would be obliged to recal his Ambaſſadors: He enlarged very much upon the ill Conſequences ſuch a Diſſolution of this Congreſs would have, both as to the further Confuſions that would follow in Chriſtendom, and to the Diſregard that would be thereby thrown to his Majeſty's Mediation. We are, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 23*d Sept. O. S.* 1676.

Right Honourable Sir,

SINCE our laſt of the 20*th*, we are to acknowledge the Favour of one from you of the 8*th*, with his Majeſty's Reflexions upon our former Diſpatches, according to which Lights, we ſhall perfectly govern our Proceedings here in all Points, wherein they clear us; and in thoſe wherein they are preſent, leave us more in the Dark, we ſhall make the more cautious Paces, and ſuch which, upon joint Conſultations, we ſhall conclude to be moſt agreeable to our original Inſtructions upon this Embaſſy.

Yesterday the *Dutch* Ambaſſadors, in a Viſit of Form, gave us the Knowledge of their Maſters Reſolution, to endeavour the procuring Satisfaction, as far as they could, to the Pretenſions of the Houſe of *Lunenburgh*, for the Stile of *Ambaſſadors* to be given their Miniſters in the *French* and *Swediſh* Paſſports: They ſhewed us a Letter from the allied Dukes of that Houſe to his Majeſty upon that Subject, with ſome other Papers digeſted by M. *Mutter*, their Miniſter at the *Hague*, in the Defence of that Right; and at the ſame Time, deſired us, in the States their Maſters Names, to perform our Offices both towards his Majeſty and the *French* Ambaſſadors here, for the obtaining thoſe Princes Satisfaction in this Point.

We anſwer'd the Ambaſſadors, that we ſhould not fail to acquaint his Majeſty by this Ordinary, with what they deſired; but that we could not preſume to perform any Offices, either towards his Majeſty or the *French* Ambaſſadors in this Matter, without firſt knowing his Majeſty's Thoughts upon it; both becauſe it was a Thing he was concerned in, as one of the great Kings of *Europe*, as well as a Mediator; and we knew not how far he would think fit to advance a Claim, by the Deciſion whereof he might raiſe a Precedent, contrary perhaps to the Style of his own Court, and the Practice of his Royal Predeceſſors; and beſides, we ought to expect further Orders upon this Point, ſince the laſt we received, had engaged us already, in his Majeſty's Name, to aſk Paſſports for the Duke of *Hanover*, a Prince of the ſame Houſe, with the Style of *Miniſtre & Deputée*. The *Dutch* Ambaſſadors profeſſed to be very well ſatisfied with our Anſwer, and to think we had Reaſon in it: We ſend you encloſed the Copy both of the Letter and Paper, that you may obſerve, whether this Copy of that to his Majeſty (which we find is made a publick Thing) agrees with the Original or no, and upon the Paper, may make the Reflexions it deſerves.

M. *Beverning*, in separate Converſations to us both ſome Days before, had told us, that a principal Officer of the Garriſon of *Grave*, had been newly with him, and told him a Deſign he had of ſeizing upon M. *d'Eſtrades*, or any that belonged to him, if he could meet them, as they were often out of the Walls of this Town; M. *Beverning* ſaid, he adviſed him by no Means to do it, as a Thing of publick Concernment to the Congreſs; but that he replied, he had ſeen a Reſolution of the States upon that Point, declaring that they could not allow the *French* Ambaſſadors Liberty in going out of the Town, before any Neutrality was agreed on; that he confeſſed, he had a particular Peck to M. *d'Eſtrades*, upon ſome perſonal Injuries, and beſides, thought he might make a good Prize; that he, M. *Beverning*, thought fit to give us Notice of this Incident; to the End, we might do the ſame to the *French* Ambaſſadors, and perſwade them to be a little more cautious, and retain'd in the Liberties they took of this Kind, till the Matter was agreed.

We abſolutely told M. *Beverning*, this was not enough, but that he ought to command the Officer of *Grave*, in his Maſters Name, to attempt no ſuch Thing, which would be a certain Breach of the Congreſs; and upon his ſaying, that they would give no Command to any Officers of the Army, eſpecially in a Matter which ſeemed to have been allowed by a Reſolution of the States, and that thoſe Officers would obey no Orders but of the Prince of *Orange*, we told him, that he ought himſelf to go over to the Prince, (then at his Houſe near *Utrecht*) and procure an Order from him, to forbid all ſuch Attempts, till the Matter were regulated; and at leaſt charge the Officer to forbear them, till he, Monſieur *Beverning*, received the Prince's Pleaſure upon it: This he promiſed to do, and to that Purpoſe, that he would immediately ſend for the Officer, who was ſtill in Town; but that in the mean Time, he deſired we would touch this Matter to the *French* Ambaſſadors, in ſuch Manner, that their Caution as well as ours might contribute towards the preventing any ill Events upon it.

This Morning we were with the *French* Ambaſſadors, and gave them notice of the *Dutch* Propoſal to us yeſterday, in Behalf of the Duke of *Lunenburgh*; as likewiſe of the Anſwer we had made them, ſo as we pretended only to give them ſome Light in a Matter that was like to come upon the Stage, but not perform any Offices upon it. They gave us many Thanks for the Communication, and much applauded the Anſwer we had made, and expreſt their own Opinion in the Caſe, of the little Right that could be pretended by the *German* Princes to ſend *Ambaſſadors*; and that either his Majeſty would not think fit to propoſe it to the King their Maſter, or would eaſily be ſatisfied with the Reaſons he ſhould have to excuſe himſelf in it.

Tho' the Diſcourſe of M. *Beverning*, concerning the Officer of *Grave*, were a Point little more delicate, yet we had the good Fortune to give them the Account of it in ſuch Manner, that inſtead of being ſhock'd at any Thing we ſaid, they profeſſed to take the Advice very well of us, and not ill of M. *Beverning*: They pretended neither to have done, nor to do any Thing in thoſe Kind of Liberties, that might give any juſt Offence; promiſed to enquire, if any other Uſe had been made of it by any of their Servants without their Knowledge; and only ſaid, that if upon any light or innocent Occaſions, any ill Uſe ſhould be made of it by the Brutality of any Officer of the States, they ſhould only acquaint their Maſter with it, and leave it to him to reſent it as he thought fit.

We have the rather given you the Account how this Matter has paſt on both Sides, that you may pleaſe to reflect upon it as a Thing, which,

which, if it should lie long undecided, will hardly escape some Way or other the raising some ill Accidents in the Matter of the Congress, and possibly some to the very Breach of it; wherein we know how far his Majesty must needs be concerned.

We have nothing more to encrease this Trouble beyond the Professions of our being, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 28th Sept. O. S. 1676.

Right Honourable Sir,

OUR last was of *Saturday* the 23*d*; since which, we have not any of yours to acknowledge.

On *Monday* we renewed our Offices with the *Dutch* Ambassadors for Passports from their Masters, and from the rest of the Allies, for the Bishop of *Strasburg*, in the same Number and Form, as they are given out to others; letting them know, as his Majesty is pleased to direct, that there was no Difference to be made in the Case of Passports, between him and the other Parties in War, notwithstanding any personal Displeasure that some of the Confederates may possibly retain against him.

The last *Sunday* Post brought me, Sir *Leoline Jenkins*, a Letter from Mr. *Kennedy*, which relates to Sir *Richard Bulstrode*, his Majesty's Resident at *Bruxells*; and was in Answer to one I had writ to Sir *Richard Bulstrode*, (who it seems hath been lately ill) to accompany a Memorial put into my Hands by the *French* Ambassadors, for Passports from the Duke *de Villa Hermosa*, for the Bishop of *Marseilles*, for his Return into *France* from *Poland*, where he is now Ambassador.

The Answer that was made, you will see, by a Transcript of the Letter which I take leave to enclose, to be somewhat angry; I acquainted M. *Colbert* with no more of it, than was necessary to let him know, the Duke *de Villa Hermosa* excused himself from granting this Passport, for that the Most Christian King had of late refused the Duke Passports in the like Case.

M. *Colbert* was somewhat surprized at this Answer, saying, he could do no more, but give an Account of it to the King his Master; yet he did not believe, he said, that *France* had refused Passports to any Ambassador or Minister, such as the Bishop of *Marseilles* is, but it may be to some Officers of the *Spanish* Army; if so, the Duke could not say the Case was alike, it being an ordinary Thing to deny Passports to Men that be in the actual Service of the War; but never, that he heard of, to an Ambassador, especially to one in his Way homewards to his own Country, tho' there might have been possibly some Pretence, if the Pass had been for an Ambassador to go on his Embassy.

This he reckoned as an angry Thing on the *Spaniards* Side; and the rather, for that the States General had made no such Difficulty, but upon a Duplicate of the same Memorial put into their Hands, granted this Bishop their double Passports. This Refusal, he said, was not unlike those Exceptions the *Dutch* Ambassadors did take, (as we had advised them the *French* Ambassadors the Day before) at the Liberty the *French* do take in their going not only up and down the Country hereabouts, but also into the *Betuwe*, which was always intended to be prohibited. He assured me, that both himself and his Collegues had, in their several Families, examined what had been done in this Kind;

Kind; and that they had found, that none of their Train had been over in the *Betuwe*; and that their Servants do no more but ride out their Horses to airing, for about a Quarter of a League out of the Gates; and that one or two of them have been a birding not far from the Town, and all this Side the River.

When I told him, that nothing but a Neutrality could close up the Dissatisfactions on all Sides, and that a certain Circuit of Ground, tho' never so little, being declared Neuter, would be a great Ease to all Parties, and a Fence, as it were, to the Congress itself, and yet of no Consequence to the War; he told me, that he for his Part was indeed of that Opinion; and that having found, that there is a little Circuit of Ground, not a League in extent, this Side of the *Waal* westward, nor having upon it more than two or three poor little Villages, which Circuit is known and called by the Name of the *Echevinage* or *Banlieüe* of *Nimeguen*: That this Tract of Ground being reputed part as it were of *Nimeguen* it self, had never been put under Contribution nor Tax, as the rest of the Country adjacent was, to the *French*: That the Walks they (the *French* Ambassadors) do sometimes take, are into Meadows and other Grounds part of the *Echevinage*; he had written to Court as his private Opinion, that this little Circuit, as it has been always reputed as it were an Appendage inseparable from this Town, and never taxt with the rest of the Country; so if it were let go at this Time Tax-free, that would make it Neuter beyond all Pretence and Question; and consequently shut out all Soldiers from coming within it; and he was, he said, in Expectation what return would be made upon this Opinion of his.

M. *Blaspiel* having taken a Journey to the Court of *Brandenburgh* at *Berlin*, sent hither the Number requisite of Passports for the *French* from his Master. The Secretary that attends here said, he hoped to be back with M. *Somnitz*, the other Plenipotentiary, by the first of *November*; and that M. *Roomswinckle* (the Resident of that Court at the *Hague*) being now at *Cleves*, would come over hither in the Interim, if there were any Occasion.

The *Dutch* Ambassadors told us, the States their Masters had set up an extraordinary Courier, that should part from hence on *Mondays* and *Thursdays*, between three and four in the Afternoon, who would be on *Tuesdays* and *Fridays* at ten in the Morning at the *Hague*, which is the Hour of Assembling for the States: That in the Contract with the Courier, there was a Regard had to his Majesty's Ministers here, and that our Letters to and from the *Hague* shall be * *frank'd*. This will be some Dispatch for our Letters both those Days, which will be taken up within 10 Hours after their Arrival to the *Hague* for the *Brill*; whereas our *Saturday* Letters stay the better Part of three Days, and our *Wednesday* Letters two Days at the *Hague*, in Expectation of the Time for the *Brill*.

* *This Favour was not accepted of by the Mediators.*

M. *Olivenkrantz* told me, Sir *Leoline Jenkins*, in a Visit yesterday, that he hears there is a Treaty now forming between the King of *Denmark* and *Sweden*, whereby the former warrants to the latter his Conquest in *Schonen*, *Bleckenning*, and all he can recover of the ancient Possessions of the *Dane*; but he does not believe that it is yet concluded. We are, &c.

W. Temple.
L. Jenkins.

Nime-

Nimeguen, 2 d Octob. 1676.

Right Honourable Sir,

SINCE our last of the 28*th* past, we have neither received any of yours, nor met with any Thing new here which deserves your Trouble; tho' we hear of the *Danish* and *Spanish* Ministers preparing to leave the *Hague*, and come this Way; yet we are still uncertain whether we shall see them before the next Month approaches, being the Time prefix'd by the States for entring upon Business: So that in the mean Time we reckon upon one Month's Vacation, and M. *Beverning* talks of going to pass some Part of it at his Country-House in *Holland*: We write at this Time only to acquit ourselves of that Duty, and to assure you of our being always, Sir, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 5th Octob. 1676.

Right Honourable Sir,

OUR last was of *Monday* the 2 *d* Instant; yesterday Morning brought us two of yours, one of the 22*th*, and the other of the 29*th* past.

In that of the 22*th*, we received Copies of the Princes of *Brunswick*'s joint Letter, and of two separate ones from the Dukes of *Hanover* and *Mecklenburgh Gustrow*, to his Majesty, as also of the *Danish* Memorial, with the Apostils to it, relating to the Passage of Letters through *Denmark*, which last we were already possess'd of since the Beginning of *May* by your Favour.

In the same Letter we have his Majesty's gracious Directions how to govern ourselves, in handing between the Parties such Proposals and Desires as shall happen, tho' they be pressed upon us to have the Countenance of being little reasonable as to their Subject Matter, which we shall endeavour to keep to with Exactness.

The same Letter brings us his Majesty's gracious Commands, to propose and recommend to the *French* Ambassadors, the consenting to a Neutrality for one League round, which we shall be sure to do with the soonest.

Your other Letter of the 29*th*, letting us see his Majesty's indefatigable Pains and Applications, to remove all Difficulties that are like to retard the main Business of this Assembly, we find it to be his Majesty's Pleasure, that we on this Side should likewise apply ourselves to the *Dutch* Ambassadors, and by their Means to the Allies, that the several Ministers intended by the Allies for this Place may be hastened away, and that the Obstacles now like to come on, about Titles and Characters in Passports, and still remaining about free Passage for Letters into *Sweden*, may, if possible, be avoided; wherein we shall endeavour to do our Duty with that Care as may be suitable to his Majesty's great Zeal on that Side.

Since our last, we have little of Moment to trouble you with, but what hath passed here these 2 or 3 last Days, touching the Passage for the *Swedish* Letters.

On

On *Monday* the *Dutch* Ambassadors acquainted us, as from their Masters, that upon a Memorial lately put in by M. *Silvercroon*, Commissary for *Sweden* at the *Hague*, to have the States new Treaty of Commerce with *Sweden* put in Execution, the States had so pressed M. *Meyercroon*, the Envoy of *Denmark*, that he could not but acknowledge himself convinced with their Reasons, and had undertook to write to his Court, to have the Passage for Merchants Letters between *Holland* and *Sweden* set open and free; and that tho' the Case of the *Swedish* Ambassadors here, was no Part of the Conference between the Deputies of the State and M. *Meyercroon*, yet that they, the *Dutch* Ambassadors, were confident, that what was then pressed upon M. *Meyercroon*, would have a good Effect upon the Commerce of Letters in the Negotiation here; that they allowed us to tell the *Swedes* Ambassadors as much.

Another Thing the *Dutch* Ambassadors told us, that they having acquainted their Masters, with the Account we had given them some few Days before, of the *French* Ambassadors having seconded the Instances that the *Swedes* had made by their Memorial, for a free Passage for their Letters and Couriers through *Denmark*, and how they had in a Manner threatned, that in case this were not granted, it might bring the Most Christian King to give an Interruption to the Passage of Letters through the Kingdom of *France*. Their Answer was, in the Name, and by the Orders of the States their Masters, that the present Difficulties have not their Rise from them, or any of their Allies; that they had agreed the Liberty, not only of the ordinary Post, but of Couriers upon all Occasions, should be provided for in all Passports; and that the first Draughts of the Passports were so concerted; and moreover, that they and their Allies had dispatched their respective Passports, with Clauses clear and full to that Effect; that they always understood *France* had agreed to the same, and did appeal to me, Sir *William Temple*, who had offer'd them several Changes and Amendments in those Draughts, which they could not imagine to have come to my Hands out of *England*, but with the Concert of M. *de Ruvigny*, who then managed the Affairs of the Preliminaries with his Majesty; and that they, the States, did suspend the Force and Effect of the Clause concerning Couriers, by a Resolution they pass'd into, when they found the Most Christian King refuse to grant the reciprocal in his Passports to the Allies; that when it shall please the Most Christian King to re-establish that Clause, by consenting it shall be admitted, as it was first agreed, into all Passports of the one Side and of the other; they, the States, will readily concur in it, and doubt not but to prevail with their Allies to do the same; and the rather, in that they do not conceive, that there can be such a Freedom settled any other Way, as the Nature and Importance of this Negotiation does require.

As to the Menace of stopping the Course of Letters through *France*, they, the States, have no more to say, but that that was establish'd upon a Contract, whereto they are not Parties at all, nor any of their Allies, saving the Crown of *Spain*; and that those being Measures agreed to between the two Crowns alone, and that before the Clause of Couriers came in Question, or the Forms of the Passports were thought on, they, the States, look'd upon it as a Concern of the two Crowns between themselves, and not as Business relating to their Alliance.

On *Tuesday* we acquainted the *French* Ambassadors with the Reflexions abovesaid, that the States had made, and commended to us by their

their Ambaſſadors. Their Anſwer was, that their King did not find it for his Conveniency, to have Couriers paſs through his Dominions at Pleaſure, without preſcribing them the Ways they ſhould take; yet that they thought the Liberty of the ordinary *Spaniſh* Courier, every 15 Days from *Bruxells* into *Spain*, very well deſerved to be compenſated by ſome ſuch Liberty for *Swediſh* Couriers, to paſs at certain Times through *Denmark*; and the rather, in that the Conveyance which was before the War by the ordinary Poſt, is now quite ſtopt and taken away. That that which is deduced in the *Swediſh* Memorial, of an Offer made by *France*, to ſuffer the Couriers to paſs from hence on the *Rhine* Side to *Switzerland*, and ſo to *Lyons*, and thence to *Spain*, will be ſtill made good by *France*, provided a Liberty equivalent be granted to the *Swedes* and the *French*, on the *Denmark* Side.

Having thus done with the *French* Ambaſſadors, we were upon the ſame Errand with the *Swedes*; the ſhort is, they would not ſay, that the Conveyance which the States were like to procure for Merchants Letters would ſatisfy them, in Regard, they ſaid, all ſuch Letters muſt paſs through the Hands of the *Danes*; nor were they pleaſed to ſeem ſenſible, that what Liberty *Spain* had of ſending through *France*, was upon a particular Accord founded upon Reaſons peculiar to thoſe two Crowns; and it being an Accord made before the War between *Sweden* and *Denmark*, it was not eaſily to be drawn to evince, that there ought to be the very ſame, or the like Accord between the two Crowns in the *North*. That which the *Swedes* ſtood upon was, that they having, in Conformity to the Accord ſtipulated at the Beginning, for a Liberty of Couriers on all Sides, and ſufficiently provided for by an expreſs Clauſe in the firſt Paſſports, executed what they had to do, in making out their Paſſports to the Allies accordingly, the States and the Allies were to look upon their Caſe as ſeparate from that of *France*, and that the Refuſal of *France* to conform to that Stipulation, ought not to prejudice them who refuſe not.

That which they ſeemed to ſuggeſt as moſt practicable, was the aſſigning of a certain *Route* to Couriers; and if *Spain* and the Allies would be content to take ſuch a Way as *France* ſhould give them on that Side, they, the *Swedes*, would ſubmit to the like for the Courſe of their Couriers through *Denmark*, provided it were a Diverſion that were reaſonable, and with Relation to the Motion of Armies, and to ſtrong Places.

One Thing more we have to trouble you with, it is, M. *Caſpari*, a Councellor of the Duke of *Newburgh*, brought us a Letter from the Duke his Maſter, the Copy whereof goes herewith incloſed, and took an Hour to ſpeak with us on *Tueſday* Morning: His Buſineſs, he ſaid, was to change the Paſſports of his Maſter, with thoſe he expected from us from *France* and *Sweden*; from *Sweden*, we told him, we had none come, which we thought might be attributed partly to that the Duke his Maſter was not yet in the Alliance, when his Majeſty made a Demand of the Paſſports for the Allies from *Sweden*, according to a Liſt that the States General had given him, and partly from the Interruption that is lately fallen upon the Courſe of Letters through *Denmark* into *Sweden*.

Having given him the three Paſſports from *France* into his Hand, he was pleaſed to deſire Leave to compare them, according to his Orders, as he ſaid, with Copies he had brought with him of the Paſſports of *France* to the Miniſters of *Brandenburgh*; he quickly found the Stile of *Ambaſſadors*, which he look'd after, was not in thoſe for his Maſter's

Ministers; and having found it wanting, he told us, but in a civil Manner, he could not exchange with those Passports, his Orders expresly bearing he should not: Thereupon he enlarged himself into several Reasons; as 1*st*, That it is confessed of all Hands, the Princes of the Empire, as well as the Electors, have *jus Legationis*. 2. That at the Assembly of *Munster*, the Electors had no Ambassadors; and that at the Assembly which is called that of the *Rhine*, the Ministers of the Princes, as well as those of the Electors, were styl'd *Legati*. 3. That when divers Princes of the Empire, as well as some of the Electors, sent into *France* in the Year 1668, for procuring and facilitating the Peace between the two Crowns, the Baron *de l'Herode* was sent thither by the Duke of *Newburgh*, and received the same Treatment with the Ambassadors of the Electors, that were there upon the same Errand. 4. That his Master is of the ancientest House in *Germany*, capable to have two several Electorates descend upon his Line, and therefore thought his Case, as being the first after *Bavaria* upon the Bench of the Secular Princes, that pretend to go *du pair* with the Electors in this Prerogative of sending *Ambassadors*.

We answered him, it was not our Business to examine or discuss those Points, but meerly to represent what should be deposited with us, to the other Parties concerned; only we desired him to consider, that the contrary of what he affirmed of the Practice of *Munster*, having been averr'd upon several Occasions by the *French* and *Swedes*, the Judgment of it would be, as the Proof of the Matter of Fact should happen to be clear and authentick on the one Side, or on the other; and what the *French* do say was established there, M. *Colbert*, upon his own Knowledge and View, does affirm to have been the constant Practice at the Assembly of *Frankfort*, at the Coronation of this Emperor: Besides, we told him, that what he alledges of the Baron *de l'Herode* is very material, but that to bring it Home to this Point, it must appear, that that Minister, in his Letter of Creance to the Most Christian King, and in that of Recreance from the King to the Duke, had the Stile of *Legatus* or *Ambassador*, and withal did cover at his first Audience before the King.

This Gentleman having considered these Things, and being satisfied that the Passports which had been first issued for his Master, and had the Stile of *Ambassadors*, had been called back, because they were given out upon a meer Mistake; and being further assured, that the Passports given out at the Beginning of this Negotiation, even to the Electors themselves, were with the Stile of *Ministres* and *Deputez* only, and not at all with that of *Ambassadors*; and that which gave Occasion to this Demand of the House of *Brunswick*, and the Duke of *Lorain*, proceeded from a Demand that the Elector of *Brandenburgh*, upon second Thoughts, had made, to have the Stile in the Passports granted to and exchanged with him, changed into that of *Ambassadors*; he seemed to be much better satisfied, and told us, there were several Things in this Affair, that his Master was not fully informed of, which he thought, when the Duke had understood, he might give him Orders of better Satisfaction than those he brought now along with him.

This being over, he fell into very great Complaints of the Sufferings the Dutchy of *Juliers* groans under from the Garrison at *Maestricht*. That which was new, (for his Majesty hath been acquainted, as we perceive by the Copy you have been pleased to send us of that Duke's Letter, with the old Exactions) was for Pioneers, and the Re-

pair

pair of their Fortifications, which was still double to the Proportions of *Cleves*, and the *Spanish Gelderland.*

We found ourselves obliged to give the *French* and *Swedish* Ambassadors an Account, as we have since done, of what passed between us and this Gentleman about the Exchange of Passports; the Answer that the *French* gave us was, that their Master did not intend to make any Enquiry into the *Anciennetè*, or other Prerogatives of the Princes of *Germany*, nor to interpose in the Pretensions they may have, the one in Concurrence to the other; that in this Affair, touching the Stile and Treatment of *Ambassadors*, he governs himself by Possession; that he finds the Electors had the Possession both at *Munster* and *Frankfort*, of what they now pretend to; and that he goes along with that Possession, and shall do the like to those Princes not Electors, that can make Proof of such a Possession.

The *Swedes*, when we acquainted them with it, told us, they would write to the King their Master, as soon as they should be put into an entire Possession of that Freedom for their Letters, as is necessary for such a Negotiation; but that this being a Business in which the Emperor and the Electoral College has an Interest, they do believe that their Master will be very wary in concurring in any Novelty that may be to the Prejudice of the Emperor or the Electors.

This Morning the *French* Ambassadors taking an Hour, acquainted us with the King their Master's Resolution, that he was willing to consent to a Neutrality, even without Contribution, that might extend to half a *German* League about the Town of *Nimeguen* of this Side of the River: We acquainted them at the same Time, we had last Post received from his Majesty, Orders to desire their Offices for obtaining their King's Consent, that a Neutrality might be agreed on, extending to one League about this Town: We told them, we did not doubt, the Extent intended both by them and by us, would prove to be the same, tho' expressed in different Terms; and when we mentioned to them certain Places, that we thought would agree with his Majesty's Meaning, they consented to them as such as would be within their Master's too, and consequently, that after the Thing should be proposed and agreed by the *Dutch*, (who have already professed their Readiness to any Limits that should be proposed by *France*) we should, with the Assistance of them, the *French* Ambassadors, set out such Places and Marks, as should determine the Bounds of this Neutrality: So that we esteem now the whole Thing to be agreed, and shall give his Majesty an Account of the further Progress to be made upon it.

The Ambassadors told us, the King their Master had consented to this Neutrality, upon the Representations made to him of the Inconveniencies and the Dangers, (which we had often laid before them) the Want of it would unavoidably bring upon the Congress. We are, &c.

W. Temple.
L. Jenkins.

Nimeguen, 9th Octob. O.S. 1676.

Right Honourable Sir,

SINCE our last of the 5*th*, we went to acquaint M. *Van Haren*, in the Absence of Monsieur *Beverning*, with the Concession made by the Most Christian King, and signified to us by his Ambassadors here,

concerning the Eſtabliſhment and Extent of a neutral Country about this Town. We put him in mind, at the ſame Time, of what the States and their Allies had ſeveral Times declared upon this Occaſion, that they ſhould agree to whatſoever Limits *France* ſhould propoſe, whether of a Quarter of a League, two Leagues or more, ſo it might be on this Side the River, and without Contribution; we thereupon expreſſed our Confidence of no Difficulty being like to ariſe from the States, and conſequently of thoſe Matters being well ended. Monſieur *Van Haren* ſurprized us by the Coldneſs with which he received thoſe Diſcourſes, and by the Anſwer he made us, which was, that he ſhould acquaint his Maſters with what we had told him; but that they, their Ambaſſadors, had no Power to accept this Propoſition, nor any other upon this Matter; ſince we might remember, that when it was laſt in Treaty here, during the Siege of *Maeſtricht*, they acquainted us with the Reſolution of the States, that in Caſe it ſhould not be agreed before that Siege ended, either one Way or other, they would not afterwards be obliged to come to any Adjuſtment at all upon it, but ſhould leave it ſtill upon the Terms it then ſtood: We replied, that we did not at all remember any ſuch Reſolution of the States had ever been ſignified to us, nor any Diſcourſe of them their Ambaſſadors to ſuch Purpoſe. That, on the contrary, we did well remember, that they having told us their Maſters Reſolution abovementioned, to be content with any extent of a neutral Country which *France* ſhould agree to, provided it were with thoſe two Conditions; they added at the ſame Time, that this Reſolution being grounded upon Reaſon, no Succeſs that ſhould happen one Way or other in the Siege of *Maeſtricht* could make them change it; that hereupon we had confidently told the *French* Ambaſſadors, there would be no Difficulty on the Part of the States, and had written the ſame to his Majeſty, upon their advancing this laſt Propoſition, that we deſired he would write thus much to his Maſters from us; and that we hoped they would make good what we had ſaid or done, ſince it was agreeable to all which they had yet declared to us upon this Occaſion. He promiſed to do ſo; but M. *Beverning* not being here, and their Commiſſion running to any two of them, he adviſed us to ſpeak with M. *d'Odyike*, who was then newly arrived in Town: We did ſo immediately; and tho' he ſaid, he came only here to give ſome Orders about his Houſe, and meddle with no other Buſineſs, but would return next Day to the Prince; yet he expreſſed his own Satisfaction, in what we told him had been ſignified to us from the *French* Ambaſſadors, and that he ſhould joyn with M. *Van Haren*, in repreſenting it to the States. We met afterwards both M. *Colbert* and him upon the Walks here, and falling into Converſation upon this Subject, they both agreed in deſiring, that when this Matter ſhould be eſtabliſhed upon the Terms already propoſed, there might be a further Agreement, for extending the Liberty of the Ambaſſadors themſelves, both in their Perſons and Domeſticks, who ſhould accompany them to a greater Diſtance, and even ſo as to comprehend the Town of *Cleves*; which we told them, we ſhould be very ready to endeavour, when this preſent Matter were once ended, and the Limits thereupon well aſcertain'd.

Two Days ago, a Miniſter of the Elector of *Cologn* (who had formerly paſſed this Way to the *Hague*, as we adviſed you) came to us, with Deſires from his Maſter, to procure him Paſſports for his Miniſters or Deputies, to come to the Congreſs. He ſaid, he had already demanded them of the States, and their Allies, by a Memorial at the *Hague*, and deſired we would do the ſame here of the *French* and *Swe-*

diſh

dish Ambassadors. We asked him in what Figure that Elector intended to send them to the Congress, whether as a neutral Prince, or an Ally to any of the Parties, and whether he demanded the Passports for *Deputies* only, without pretending any other Character: He told us, he believed it was as a neutral Prince, but had not any direct Orders to say so; that he had no Instructions to demand any other Character than that of *Deputies*; and thought it would be necessary, since he believed there would come three from each of that Bishop's Dioceses of *Cologn*, *Liege* and *Hildsheim*: We desired however he would give us in a Memorial, which should express his meaning in both these Points. He gave us the inclosed; upon which we demanded Passports of the *French* Ambassadors accordingly, who made no Difficulty of Writing for them by the next Ordinary. But yesterday, the said *Cologn* Minister came and acquainted us, that he had newly received Letters from his Master, which commanded his immediate Attendance upon him at *Cologn*, with Intention to give him more particular Instructions therein, in what Manner he should demand those Passports; he said, he should be back in four or five Days, and thereupon desired us to forbear our Offices to the Ambassadors upon this Subject till his Return: This we told him we should do, in Regard of the *Swedes*, whom we had not yet spoke to; but having done it already formally to the *French*, we were unwilling to go again upon so light a Message, but advised him to intimate what he had desired to Monsieur *Carriere*, who was his great Acquaintance at *Liege*, and is now, tho' without any Post, much considered and imployed in the Business here by M. *d'Estrades*. We are, &c.

SINCE the Writing thus far, M. *Van Haren* has been with us, with an Answer from the States his Masters, to the Proposition of *France*, upon the Subject of the Neutrality; it is, that they entirely consent to it, and desire us to perform the Offices necessary for ascertaining the Limits, which we promised to do upon the first Occasion.

HE told us likewise, that upon his repeating to the States his Masters, the last Instances we made by his Majesty's Order, for the pressing yet further the Allies, to hasten their Ministers to the Congress, the States had returned him Answer; that having on the 22*d* past, by a formal Resolution, fixed a Day for the coming of their Allies, or else for entring into the Business of the Treaty without further Delay; they could do nothing more than declare, that they still persisted in the same Resolution.

WE have nothing more to encrease this Trouble beyond the Assurances of our being ever, &c.

W. Temple.
L. Jenkins.

Nimeguen 12th Octob. O. S. 1676.

Right Honourable SIR,

OUR last was of the *9th*; since which, we have none of yours come to Hand to acknowledge, nor have we any Thing to add, but that yesterday we communicated to the *French* Ambassadors in Form, what M. *Van Haren* had acquainted us with, of the States his Masters accepting the Neutrality on their Side in the Extent, and upon the Conditions offer'd by *France*.

IN the Afternoon, we rid abroad with the *French* Ambassadors, on Purpose to consider of the Limits that might be agreed on for the Neuter Country. We found a Neutral Bound made by a small River crossing

croſſing the high Way to *Grave*; here they were content to fix their Bound on that Side, tho' they ſeemed to doubt, whether they could extend it to the ſame Diſtance on all other; but that we ſhall endeavour to adjuſt with them, and to make it equal, if we can, on all Sides. We eſteem that Bound to be about an Hour from *Nimeguen*, and conſequently agreeable to his Majeſty's Intentions.

WE reckon this Matter to be now in a very good Way of being ſoon and well eſtabliſhed. Since the writing of that above, we have the Favour of yours of the *6th* Current come to Hand. We ſhall not fail to do the Offices therein directed, for Paſſports to the Duke of *Mecklenburgh Guſtrow*'s Miniſters, and we ſhall endeavour to keep cloſe to what his Majeſty is pleaſed to preſcribe, for our better Government, in Caſes wherein himſelf and the Stile of his Court, as a Soveraign Prince and great Monarch, may be concerned.

AS to the calling upon the Confederates, for the haſtening away their Miniſters to this Place, our laſt will have brought you an Account of what Anſwer we have had by M. *Van Haren* from the States General, to the Inſtance we had made in his Majeſty's Name to that Effect: So that we have nothing now to add, beſides the Aſſurance of our being, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, *16th Octob.* 1676.

Right Honourable SIR,

SINCE our laſt of the *12th*, the *French* Ambaſſadors have, in Company with us, made further Enquiry after ſuch Limits, as might moſt properly be given to the Neutral Country, and yet comply with their Orders from Court in ſome Meaſure, as well as ours: They have agreed on three more, on three ſeveral Highways, beſides what we laſt adviſed you of, upon that to *Grave*; as to ſome others, which they themſelves thought proper, but doubted whether they would be allowed to be within the Compaſs of their Orders, they have writ to Court, and expect an Anſwer with the firſt; but have in the mean Time given Orders to the Commander of *Maeſtricht*, to ſuffer no Parties, upon any Occaſion, to come within theſe Bounds they have already in their own Judgment aſſigned for the Extent of the Neutrality.

THE *Dutch* Ambaſſadors do not deſire to be concerned in this Matter, till the *French* have digeſted the Propoſition they intend to make in its whole Compaſs; and will then, as we believe, be eaſy enough in agreeing to it, provided the Diſtance in all Parts approach in any Meaſure what we acquainted them was agreed to by the *French* at our firſt Conference, which was at half a *German* League; ſo that we hope there will no great Difficulties ariſe upon this Subject, tho' it be not yet perfected, as we thought it might have been by this Time.

THE *French* Ambaſſadors having formerly complain'd to us, of the Refuſal given them at *Bruſſels* of Paſſports for the Biſhop of *Marſeilles*, upon his Return from *Poland*, and declaring to us, that their Maſter was reſolved, upon this Occaſion, to refuſe likewiſe all Paſſports to the Subjects of the Catholick King, we undertook to write to the Duke *de Villa Hermoſa*, eſteeming that it became our Function, as Mediators, to endeavour the Prevention of any new, or greater Sharpneſs than had hitherto been practiſed between any of the Parties in the Courſe

of

of this War; but finding since, by a Memorial of the *French* Ambassadors, that they desired us at the same Time to procure Passports from all the Confederates, for the Marquiss of *Vitry*, *Envoye Extraordinaire en la basse* Allemagne, now returning for *France*, and for a Son of the Marquiss *de Feuquiers*, going to succeed in the Marquiss of *Vitry*'s Employment: We have thought fit to write to the Duke *de Villa Hermosa* only upon the Subject of the Bishop of *Marseilles*, and to make a Pause upon the others, till we have known the Sense of the *Dutch* Ambassadors about them; because we thought there was a great Difference between demanding Passes for a Minister returning from a Neutral Crown, and desiring others for the Return of one Minister, and the Dispatch of another, into a Country, and among Princes actually engaged in the War; especially since we know the Emperor has forbidden the Admission or Residence of any *French* Minister in those Parts of the Empire; and the Allies may possibly think the Passage and Negotiation of a dextrous Minister to be of as much Consequence, as the very Passage of *French* Troops through their Country: But if we find the *Dutch* Ambassadors easy in this Point, as they have already been in that of the Bishop of *Marseilles*, we shall endeavour this likewise, as we have done the other.

In some Discourse between me, Sir *William Temple*, and M. *Beverning*, on *Saturday* last, in a private Visit I made him upon his Return from *Holland*, I found him very vehement and open in his Complaints against the Councils and Proceedings of the Emperor, in the Delay of his Ministers coming to the Congress; he went so far, as not only to say, that they would begin to treat at the Time appointed by the States, in case the *Imperial* Ministers did not come, but that they would make a Peace without them, and that he knew they could do it in three Days Time. He said, that he had held the same Discourses the Day before to a Gentleman of *Cologn*, whom he took to be a Sort of Minister imploy'd there by the Court of *Vienna*, and that he had done it on Purpose that the said Gentleman might acquaint that Court with his Discourses.

But I found in the rest of my Conversation with M. *Beverning*, that he had not seen the Prince of *Orange* in his late Journey to *Holland*, nor since his Highness's Return from the Campaign, and that he resolved to make another Journey suddenly to that Purpose; which, he said, it would be necessary for him to do, for receiving fuller Instructions before the Treaty began; so that I presumed his first Discourses came rather from his own Heats, than the Orders of his Masters, and chiefly from the Dissatisfaction they had in *Holland*, upon the Belief that the Councils at *Vienna* considered so much the Interests of *Germany*, as to neglect those of *Flanders*, in the Course of the War; and that their Armies, upon the great Advantages they now had over the *French* Forces in *Alsatia*, instead of marching into the Country either of *Burgundy*, or *Lorain*, for the taking up at least their Winter Quarters there, so as to be ready in the Spring for an Invasion of *France*, would content themselves to post their Troops in the Countries about *Brisgaw*, so as in some Manner to block up that Place this Winter, in order to the besieging it next Campaign; which the *Dutch* think will be a Way to lengthen out the War, and to expose *Flanders* again next Summer to the greatest Strength and Attempts that can be made upon it by the Most Christian King, in the Head, and with the chiefest Force of his Army. And this I remember, the Prince of *Orange*, when I went to him last at *Seesdyke*, discoursed of to me, as a Thing that he appre-

apprehended from the Councils at *Vienna*, and which he thought would be of great Prejudice to the Affairs of *Holland* and *Flanders*, in the Prosecution of the War, if it should continue another Year; which made me take the more Notice of it now, as a likely Ground of M. *Beverning*'s first Warmth upon this Argument, having had, as he told me, long Conferences with the Pensionary, tho' he had not seen the Prince. We have nothing more to add to this Trouble, beside the Assurances of our being always, SIR, *&c.*

W. Temple.
L. Jenkins.

Nimeguen 19th Octob. 1676.

Right Honourable SIR,

OUR last was of the 16*th*, since which we have the Favour of yours of the 13*th* Current to acknowledge: We send herewith inclosed a Copy of the Letter we have writ to the Duke *de Villa Hermosa*, upon the Subject of the Passports, which the *French* Ambassadors desire for the Bishop of *Marseilles*.

THO' the Day prefixed for opening the Congress here be so near, yet we hear of no Publick Ministers that are set out, and upon their Way to this Place. *Don Pedro de Ronquillo* is said to be detain'd by his own private Occasions at *Antwerp*, and M. *Blaspeil* (for those are the two we had once nearest in View) is still at *Berlin*; nor is it certain, as M. *Beverning* told me, Sir *Leoline Jenkins*, in a private Visit I made him on *Monday*, whether the Chancellor *Somnitz*, who was once intended the *Chef d'Ambassade*, comes or not, he endeavouring to excuse himself upon his Unweildiness of Body, but M. *de Schwerin* labouring all he can to have him put upon this Employ.

M. *Beverning*, upon the Mention of M. *Blaspeil*, said, that that Elector had taken it somewhat amiss from the States, and made his Complaints to their Minister in his Court, that they had passed to the setting of a Day, especially so short a one; which had given Occasion to M. *Beverning* to write a Letter to the Elector, as he had done, he said, that very Day.

M. *Beverning* did, in this Conversation, enlarge himself upon several Heads relating to the Negotiation here, to the very same Effect as he had done to me, Sir *William Temple*, in another Conversation two Days before, the Detail whereof we gave you in our last Dispatch.

ONE Thing he expressed his Wishes in, with a great deal of Warmth, was, that since the *Spanish* Ministers do so affectedly delay their coming hither, he wish'd they, the *Dutch*, might find the *French* Ambassadors so easy, as to yield to reasonable Terms of an Accommodation in the Behalf of *Spain*; for then, said he, we would make a good Peace for them against their Will, and in their Absence, and it might be done in 24 Hours Time.

THE Reason, he said, of his Wish was, that if they could procure a reasonable Peace for *Spain*, which they are bound to endeavour, and so they are likewise for the Restitution of *Lorain*; then, said he, our Work would be done, for that we are under no Manner of Obligation to labour the Procurement of any Thing to any other of the Allies, he naming the Emperor, *Denmark*, *Brandenburgh*, and the House of *Lunenburgh*.

THIS

This M. *Beverning* said, with much Resolution in the Delivery, and we cannot omit to add to it, what M. *Oxenstiern* let fall yesterday in an ordinary Visit he made me, Sir *Leoline Jenkins*, whereby you will see, that we make no Secret here of discoursing at leastwise of separate Accommodations; it was, that the *Dutch* having nothing *à demêler* with the *French*, the recovering of *Maestricht* only excepted; which yet they have sometime professed to set no great Value upon, and having no Manner of Difference with *Sweden*, he hoped it would be very easy to make up the Business of *Holland* with those two Crowns; but that the King of *Sweden* his Master will not, with his good Will, come to a particular Peace, his Aim will be always to a general one; but if others do frame themselves to separate Accommodations, he should think it in that Case most advisable for his Master to comply and do the same.

This is all that occurs here, that we can think worth your Notice, whereto we have nothing to add besides the Assurance of our being, Sir, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 23*th Octob.* 1676.

Right Honourable Sir,

Having none from you since our last of the 19*th*, we write this only to acquit ourselves of the Duty this Post Day puts us in Mind of, and to tell you, that nothing has happen'd here since our last in any kind, which we esteem worth your Trouble, or the lengthening out of this, beyond the Assurances of our being always, Sir, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 26*th Octob.* 1676.

Right Honourable Sir,

Since our last, which was of the 23*d*, we have not any of yours to acknowledge.

Sir *John Paul* having, by his Letter of the 11*th* of this Month, advised us, that the King of *Denmark*, upon a Motion he had made to him by Orders from his Majesty, accorded the Passage of the *Swedish* Ambassadors Letters to the King of *Sweden* and his Ministers, and so *vice versâ* should be free, provided those from the Ambassadors here be sent under our Covers to Sir *John Paul*; and those from the King, or his Ministers, for these Ambassadors, be committed to him to be forwarded hither. We did communicate it forthwith to the *Swedish* Ambassadors, they were not much satisfied with it, partly in Regard this is much short of what they pretend to, in virtue of the Clause for the Liberty of Couriers, in the Passports they have from *Denmark*, and partly for that the like Promise had been already made to M. *du Cross*, but without any good Effect that followed to them, the *Swedes*.

The Resolution they came to, after two Days Deliberation, was, to desire us they might have the Liberty to put into our Hands some additional Reasons to those in the Memorial they have already given

in, about a free Passage for Letters and Couriers, and that not in the Form of a Memorial intended for the Parties, but only for our *Eclaircissement*; which, we told them, we would readily receive, and make the best Use of we could for their Satisfaction.

YESTERDAY the *Dutch* Ambassadors came, at an Hour they had taken, to acquaint us how the States their Masters had, upon the last of this Month, *N. S.* spoken with the Ministers of the Allies, now at the *Hague*, and minded them of the Resolution they, the States, had passed the 22*th* of *September* last, that the Congress here should be opened on the 1*st* of *November*.

TO this the Ministers so far took Exception, as to alledge, it was generally understood not of the *New Stile*, but of the Stile of the Place where the Congress was to be, it being also the Stile of several of the Courts interessed in the Alliance; adding, that the Preparations and Measures of the Ministers, that were design'd to be of the Assembly, had been taken accordingly. This the States did not think fit to raise any Dispute upon, but consented their Resolution should be interpreted according to the *Old Stile*, and so fixt 11*th November* to be the Day; and therefore desired we might know that they departed not from their first Resolution.

THE Ministers for the Emperor, *Denmark*, and *Brandenburgh*, assured the States, that their Masters would not fail to have some in their Behalf upon this Place by that Time. Of the Time when the Ambassadors for *Spain* would be here, nothing was said; there being no Minister for that Crown present at that Meeting.

ANOTHER Thing they acquainted us with from their Masters was, that the Ministers for the Duke of *Lorain*, and the Princes of the House of *Brunswick*, had at that Meeting renewed their Instances to the States, to have Passports from *France* and *Sweden* procured for them with the Stile of Ambassadors, as they have been already demanded. And that therefore the States ordered them, the Ambassadors, to inform themselves what we had done, upon the Desires made to us formerly in the Name of the States in that Behalf; and to let them, their Masters, know, in what State that Affair was at this Time, the Ambassadors being likewise ordered to desire our Offices might be renewed with the *French* and *Swedish* Ambassadors here, for obtaining of those Passports.

WE gave them an Account of what we had done upon the Papers they had left with us, as well those from the House of *Brunswick*, as that from the Duke of *Lorain*; and we gave them an Account of the Answers that the *French* and the *Swedes* had severally made us upon those Papers; and let them know, we should readily renew our Instances with the *French* and the *Swedes* Ambassadors, to the Effect desired, tho' we saw but little Probability of succeeding.

THEY further told us, that the States General, while they had upon this Occasion the Pretensions of those Princes under Consideration, had bethought themselves of an Expedient, which they were not out of Hopes but might take Place: It was, that the Passports, with the Stile of *Legati* or *Ambassadors*, should be given out by *France* and *Sweden* for the Ministers of those Princes, but that that should be understood not to induce any Obligation upon the *French* and *Swedish* Ambassadors here, to treat the Ministers of those Princes otherwise than formerly, and as having no such Character.

THIS the Ambassadors said, they had Orders to discourse to us of, with a Desire we should propound it, if we liked it, not in their

Name,

Name, but as coming from ourſelves. Our Anſwer was, that we did not think ourſelves ſufficiently enabled by our Inſtructions, to propound any Thing of this Kind and Conſequence of our own Heads, our Buſineſs being to hand between the Parties, what they deſire ſhould be propounded each to other; beſides that, we look'd upon it as leſs adviſable for us to meddle in, in Regard we eſteemed it not likely to ſucceed, or to ſatisfie either of the Parties.

THE laſt Thing they had to ſay to us, was not from the States, they ſaid, but a Thing recommended to them by the Penſioner *Fagel*; it was, the *French* and the *Spaniards* being now come to a Reſolution, not to content themſelves with Contribution, or to adjuſt it each with other, as hitherto they have done, but to proceed to the burning down and deſtroying of all before them, where they can reach, in each other's Country, which was a new and barbarous Way, and not practiſed in any former War; This, they ſaid, would ſet all Parties in a Rage, and make the Buſineſs of the Peace much more deſperate: Therefore it was the Penſioner's Deſire, that the Thing might be diſcourſed of to us, hoping it may by that Means paſs to his Majeſty, and become Part of his Care, and that he will in his great Wiſdom endeavour to prevent a new *aigreur* as this is, that will render the Parties more irreconcileable, than any Thing elſe can do that hath happened ſince this War.

SIR *Richard Bulſtrode* adviſes us, that having delivered the Letter to the Duke *de Villa Hermoſa*, that we had writ to him about Paſſports for the Biſhop of *Marſeilles*, the Duke had promiſed to ſatisfy us in what was deſired; that going to the Secretary, he had told him, that their Office being not open that Day, (being a Day of Devotion) he could not diſpatch him till the Morrow after, and that then the Paſſports ſhould be put into his Hands. We are, SIR, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 30*th Octob.* 1676.

Right Honourable SIR,

IN our laſt, which was of *Thurſday* the 26*th*, (ſince which we have not any of yours to acknowledge) we gave you an Account of what the *Dutch* Ambaſſadors had the Day before communicated to us from the States their Maſters.

TWO of the Points they had ſpoke to us of, we were bound to carry further; and did accordingly, on *Friday*, repreſent to the *French* and *Swediſh* Ambaſſadors, the Reſolution of the States General, both touching the Time of opening this Congreſs, and touching the new Inſtances they deſired we ſhould make for Paſſports for the Duke of *Lorain*, and the Princes of the Houſe of *Brunſwick*.

THE Anſwer which the *French* and *Swediſh* Ambaſſadors gave us upon the firſt Point, was to one and the ſame Effect; that they were glad to hear the States continued firm to their firſt Reſolution, of giving a Beginning to the Negotiation here; and that for the Difference of 10 Days between the *New Stile* and the *Old*, they would make no Matter of it, tho' M. *Colbert* made it his Remark, that it was *une petite Chicane*, that ſome of the Allies had laid hold on, and that from it might be conjectured, there is a Backwardneſs among them to come to the Treaty.

UPON the other Point, which was of the Passports, and upon the Office we were to make upon a fresh Requisition from the States General, the Answer of the *French* Ambassadors was, that the King their Master continued still in the same Resolution they had formerly acquainted us with; that as for the Duke of *Lorain*, in Regard it had been alledged, that there had been Ambassadors from *Lorain* in the Court of *France*, who had received the Treatment of Ambassadors there, he was ready to give Passports with the Stile, and in the Form that was desired, provided Proof were made of what was alledged to have been done in his Court; as for the other Princes, that the Demand for them was a Thing, they said, never heard of before in *France*, and that the Most Christian King is resolved, as, on the one Side, not to derogate from the Rights of the Princes of *Germany*; so, on the other Side, not to give Way to this Novelty, as they termed it, but to govern himself as the Practice and the Possession have gone heretofore.

THE Answer that the *Swedes* Ambassadors made upon this Point of Passports was, that they had taken Notice of our former Diligence, and had endeavoured, in the best Manner they have been able, (intimating the Difficulties they are in for sending their Letters into *Sweden*) to acquaint the King their Master with it; but that they had not yet had any Return upon what they had writ; that they did likewise take Notice of our Office, as we now renewed it, and hoped when the Passage for Letters should be free, to have such Answers, as became the King their Master to make. M. *d'Olivenkrantz* did, in this Conversation, say, he had received Advice from the *Hague* that very Evening, that M. *Campricht*, Resident for the Emperor there, gives out, that the Emperor his Master will give the Stile of *Legati* or *Ambassadors*, to the Plenipotentiaries of the Princes of *Germany*; and therefore he asked, whether we would not of our own Heads sound, whether such Plenipotentiaries would be content with the Name only, without the Treatment of *Excellence*, and of the Hand; but he was quickly satisfied, that we would not enter into such Matters, without either Orders from the King our Master, or a Requisition from some of the Parties concern'd.

YESTERDAY we gave an Account to M. *Van Haren*, (M. *Beverning* being gone to the *Hague*, but to be back to Morrow, that it may not be said he is not here on the *1st* of *November*) how we had renew'd our Offices with the *French* and *Swedes* for the Passports, and how we had satisfied them of the Intentions of the States, not to delay the Overture of the Congress beyond the *1st* of *November*, *O. S.* he charged himself to give an Account this Day to his Masters of what we had done.

WE put into his Hand a Memorial that we had received some Days since from the *French* Ambassadors, for several Passports (from the Emperor, the States General, and each Prince of the Alliance one) to M. *le Marquis de Vitry*, Envoy Extraordinary from the *French* King, *en la basse* Allemagne, to return into *France*; and as many more for M. *le Comte de Robenac*, Son to M. *de Feuquieres*, to go in his Place.

WE are afraid this may meet with some Difficulty, especially that for an Ambassador going *en basse* Allemagne, which is a Word of great Latitude, and may give Jealousy to the Allies as Things stand.

WE are told M. *Heugh* came very late last Night into this Town, but we have not yet heard from him. We are, *&c.*

W. Temple.
L. Jenkins.

Nime-

Nimeguen, 2 *d Nov.* 1676.

Right Honourable Sir,

HAVING none from you ſince our laſt, which was of *Monday* the 30*th* paſt, and there having nothing in any kind worth your Notice occurr'd to us, (ſaving the Return of M. *Beverning*, which was on *Tueſday* Night, out of *Holland*) this ſerves only to anſwer the Duty that ſtill returns upon us with the Poſt Day, and to repeat the Aſſurances of our being ever, Sir, *&c.*

W. Temple.
L. Jenkins.

Nimeguen 6*th Nov.* 1676.

Right Honourable Sir,

SINCE our laſt of the 2 *d* Current, the *French* Ambaſſadors came to us, and with a Complement of the King their Maſter's great Conſideration of the Offices performed by his Majeſty, for the Eſtabliſhment of the Neutral Country, to the Extent of one League about this Town; they gave us Notice of his full Conſent to our laſt Inſtances upon this Occaſion, and put into our Hands a Paper, containing the Names of all the Villages, which they underſtood to be comprehended within the ſaid Extent; they referr'd likewiſe to our Conſideration, what was further to be done, either by Act in Writing, or by Erecting of Marks upon the ſeveral Highways, towards the perfect concluding of this Affair.

We found their Paper agreeable to thoſe Limits, which we had propoſed to ourſelves upon his Majeſty's Orders, and our own Survey of the Ground and Diſtances hereabouts; and therefore gave them Joy upon it, as a Matter well ended. We promiſed them to acquaint the *Dutch* Ambaſſadors with it, and to conſider with them what might be the beſt Ways of fixing and publiſhing ſuch Marks as might leave the Thing moſt out of Diſpute.

This Conference paſt on *Thurſday* laſt, after the Date of our Letters, (which go from hence about 4 in the Afternoon) the ſame Evening a Secretary of the *Swediſh* Ambaſſadors came to us with a Memorial, concerning the Liberty they pretend, both for the Paſſage of common Letters, and of particular Couriers, from the Ambaſſadors here into *Sweden*; they grounded this Memorial upon the Notice we gave them ſome Days before, of a Letter from Sir *John Paul*, ſignifying to us a Conceſſion made to him by the King of *Denmark*, of free Paſſage for all Letters between the King or Miniſters at *Stockholm*, and the *Swediſh* Ambaſſadors here, which ſhould be tranſmitted under our Cover, and by Sir *John Paul*'s Conveyance.

The *Swediſh* Ambaſſadors received this Advice from us with great Coldneſs, and ſome Diſdain of the King of *Denmark*'s Offer, as a Matter of Indignity to their Maſter, rather than a Conveniency to them; and thereupon would needs draw up this ſecond Memorial, deſiring us to tranſmit it to his Majeſty, in Hopes Sir *John Paul* would be thereupon better inſtructed what to demand, and likewiſe to communicate it to the *Dutch* Ambaſſadors here, to the End their Maſters and the

Allies

Allies might be better informed of the Juſtice and Reaſon of their Pretenſions in this Affair.

UPON *Saturday*, the *French* Ambaſſadors came to us again, as they ſaid, chiefly to inforce by their Inſtances the Effect of this laſt Memorial from the *Swediſh* Ambaſſadors; when they had reaſoned upon the Neceſſity of ſome Concluſion in that Buſineſs, they took the Occaſion of this Conference to paſs on to another Diſcourſe of more Importance, and which we interpreted to be their chief Errand at that Time: It was, to put us in Mind that the 1*ſt* of *November* being paſt in both Stiles, which was the Day fixed by the States for giving *Ouverture* to the Negotiations deſign'd here; they thought it was fit for them to know, what was really intended by the Allies in that Matter, to the End, that the King their Maſter might thereby judge how to take his Meaſures, and what to expect from the Progreſs of this Treaty. They deſired hereupon, that we would put the *Dutch* Ambaſſadors in Mind, of the Aſſurances they had at firſt given us from their Maſters upon this Occaſion, and the Excuſes they had lately made us upon the Difference their Allies inſiſted on, between the *New* and the *Old Stile*. They intimated to us, that they thought this Motion would come properly from us, as Mediators, to the *Dutch* Ambaſſadors, without declaring that we were diſpoſed to it by any Deſires of them, (the *French* Ambaſſadors) which might make them appear more needy of the Peace, than they had any Reaſon to be from the preſent Poſtures of their Maſter's Affairs.

WE told them, that we had already an Hour given us by the *Dutch* Ambaſſadors that Afternoon, and ſhould at the ſame Time both communicate their Propoſition concerning the Neutral Country, and their Inſtances uſed to inforce the *Swediſh* Memorial; and at the ſame Time ſhould find ſome Ways to introduce the Mention of what the States had given us Reaſon to expect here from the Beginning of this Month, being now ſome Days paſt, and upon which we had ourſelves believed we ſhould have heard ſomething from the *Dutch* Ambaſſadors before that Time.

IMMEDIATELY after this Conference, we went to the *Dutch* Ambaſſadors, and firſt gave them Part of the Scheme the *French* had drawn up, and delivered us in Paper for the Neutral Country: M. *Beverning* deſired the Paper, and ſaid, they would conſider of it, and give us an Account of their Thoughts upon it: We thought their Manner of receiving it ſomething cold, and therefore told them, that finding the Limits extend, as we conceived, to the Diſtance laſt propoſed by his Majeſty, we thought there was no further Difficulty to be made upon it, except only conſidering the beſt Ways to mark, and thereby to aſcertain the Bounds intended upon the ſeveral Highways about this Town. M. *Beverning* reply'd dryly, that they would conſider of it, and in very few Days give us their Thoughts upon it, but M. *Van Haren* in a little Warmth made us eaſily comprehend the Myſtery, by telling us, they heard the *French* Ambaſſadors had ſaid, that this was a Matter the States had nothing to do with, further than barely to accept whatever Conceſſion ſhould be made in it by *France*. We endeavoured to ſoften this Humour, and ſo left it to cool of itſelf, finding M. *Beverning* would not be perſwaded to enter further into the Diſcourſe at that Time. We put the *Swediſh* Memorial into their Hands, which they promiſed to read, and return us their Reflexions upon it with the firſt. In the mean Time they aſſured us, that their Maſters would omit no Endeavours to procure the free Paſſage of Letters to *Sweden*; and that they were,

were not well ſatisfied with the Proceedings of *Denmark* in the Courſe of that Affair. But that for the Liberty of Couriers, which they pretended in Right of their Paſſports, it was a Matter that would depend upon the Reſolution of *France*, to admit that Clauſe, or to continue, as they had hitherto done, the Refuſal of it.

When theſe Diſcourſes were ended, we told them, that having not ſeen them lately, we hoped they would think, that ſince the 1*ſt* of *November*, *O. S.* we had kept within, on Purpoſe to expect ſome News from them, of the Motions they intended towards the *Ouverture* of the Congreſs, which they had promiſed from their Maſters ſhould begin at that Time. M. *Beverning* ſmiled, and ſaid, he underſtood very well what we meant, and remembred the Reſolution of the States upon that Subject, which they ſtill purſued; but that the Ambaſſadors (Mediators) of ſo great a King being here upon the Place, they had expected to receive from them the Meaſures they, the Mediators, thought fit to be obſerved by the Parties upon this Occaſion, and to know in what Manner they intended a Beginning ſhould be given to the Congreſs here; and when they knew how we deſign'd this ſhould be done, we ſhould find they were ready for it, according to the Reſolution formerly taken by their Maſters.

We told them, that in caſe they expected a Scheme drawn by us, we ſhould take Time to conſult upon it, and to conſider not only what to advance upon ſuch an Occaſion, but whether indeed we were ſufficiently inſtructed to advance any Thing of this Kind or no, as a Rule or Directions for the Proceedings of the ſeveral Parties; ſince we underſtood our chief Part in this Mediation, to be the conveying over, in the beſt Manner we could, the Propoſitions and Opinions of the Parties one to another. But in this Matter, concerning the *Ouverture* of the Congreſs, we conceived the Parties themſelves had agreed already upon the Manner of it, and upon the firſt Pace which was to be performed in it. For they might remember, upon our firſt Arrival here, the *French* Ambaſſadors had, of their own Motions, made the Offer of delivering to us their *Plenipouvoirs*; that the *Swediſh* Ambaſſadors upon their Arrival here, had done the ſame; that upon our Communication of both theſe Offers to them, the *Dutch* Ambaſſadors, they had at firſt told us, they were not impower'd to deliver us their *Plenipouvoirs*, or to make their Reflexions upon thoſe of the *French* or *Swedes*, before the Miniſters of their Allies arrived here; that they had told us ſince, their Maſters would begin to enter upon Buſineſs here by the 1*ſt* of *November*, whether the Allies were arrived or no: But in all their Diſcourſes upon this Subject, they had given us no Reaſon to think they did not concur with the *French* and *Swediſh* Ambaſſaders, in believing that the mutual Extradition of the *Plenipouvoirs*, was the firſt Step that ought of Courſe to be made towards the *Ouverture* of the Congreſs: And therefore ſince the Manner of it had, as we conceived, been agreed upon by the Parties themſelves, we thought that which would now be expected from them, (the *Dutch* Ambaſſadors) by the *French* and *Swedes*, would be to declare, whether they were now ready to produce their *Plenipouvoirs*, as the *French* and *Swedes* had declared themſelves to be ever ſince their Arrival.

M. *Beverning* not finding an eaſy Evaſion from ſo plain a State of this Matter, told us frankly, that ſince we thought that was to be the firſt Pace in the Buſineſs of the Congreſs, they were willing to make it ſo, and would be ready to put their *Plenipouvoirs* into our Hands upon any Day we ſhould appoint. We ſaid, we would acquaint the *French* Ambaſſa-

Ambassadors with it, and thought it unnecessary to take notice of the Discourses he made us afterwards, about the *Danish* Ambassadors being already here, and intending to appear within two or three Days; and the *Spanish* Ambassadors having at length certainly received their Instructions from *Madrid*, and resolving to be here by the End of the next Week.

Yet we confess we interpreted all this to have been said with Intention of gaining some little Time, as indeed what he had said at first about the Mediation, giving them their Measures concerning the Manner of beginning the Congress, seemed to us to have been design'd for a longer Delay, by putting us upon a Demurr, which might have required new Orders from Court.

Yesterday in the Afternoon we went to the *French* Ambassadors, and acquainted them with the Resolution in which we left the *Dutch* the Day before, which they (the *French*) seemed very glad of, and told us, that on their Parts, they were also ready, and therefore desired that the Day might be as soon as we could. We proposed to Morrow, being *Tuesday*, for receiving the *Plenipouvoirs* from all the Parties at present here, in Case they all consented to it. The *French* Ambassadors approved it, and we promised to propose it likewise to the *Swedes* and *Dutch*. We agreed at the same Time upon the Way of doing it; which was, that the several Ambassadors should send their Secretaries to us at what Hour they thought fit, (provided it were upon the appointed Day) who should deliver into our Hands the Original Powers, with Authentick Copies of them: That after this performed, we should compare the Copies with the Originals, and our selves attest them. That we should afterwards carry the Powers of each Embassy, to the Ambassadors of the contrary Party; and at the same Time, both leave with them the attested Copies, and shew them the Originals, to the End they might judge themselves, whether they were in due Form, as to the Seals and other Exteriours, or not.

This Way we proposed, to avoid the Difficulties that we foresaw would now occur upon the meeting even of the *French* and *Swedes* Ambassadors at our House, upon this Affair: But would grow more troublesome hereafter, upon the meeting of the *French* and *Spanish* Ambassadors by this Example, and upon the same Occasion; and when we acquainted the *Swedish* Ambassadors with it the same Afternoon, Monsieur *Oxenstiern* gave us Thanks for having advised upon a Way that would prevent many Difficulties, which might otherwise ensue in the Course of this Business.

We acquainted the *French* Ambassadors, in the same Conference, with the Copies we had received of the Dukes of *Newburgh* and *Mecklenbergh*'s Letters to his Majesty, containing the Reasons upon which they grounded their Pretensions to the Style of *Ambassadors* for their Ministers here. The *French* Ambassadors told us, that we could not expect they should take much notice of what might be alledged by these Princes, who were Parties themselves in the Demand. That they had formerly told us upon this Subject, their Master's Resolution to observe the Possession which he found in the Case, by the Presidents of his own Court: That upon search, he found none either for the Duke of *Lorain*, or the Princes of *Germany*, who were not Electors; but however, they did not know why the King their Master should take upon him to disoblige all the Princes of *Germany*, by being the Author of refusing them a Pretension, wherein they seemed so much concerned; but rather thought, that if the Emperor and the other crown'd Heads in Christendom were

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resolved to allow it them, their Master might thereby be perhaps induced to do it too. Therefore they desired to know of us, *first*, whether the Requisition we had made in this Particular came from the Emperor, the Kings of *Spain* and *Denmark*, as well as from the States General; and next, whether we made it in the Name of his Majesty, as a Thing which he had allowed and desired. We answered, that the first Instances had been made to us by the Parties themselves, or their Ministers; that the next had been made by the States General for them; that we had likewise received Orders from his Majesty, to propose the Pretensions of the several Princes to them, the *French* Ambassadors, in the same Manner they had been represented by the Parties themselves, either to his Majesty in *England*, or to us here, which we had done; but could not say, that the Requisition came to us from the Emperor, and other crowned Heads in the Alliance, or that it was a Thing adjudged or desired, but only represented by his Majesty. The *French* Ambassadors reply'd, that they ought to be informed in these two Points, before they could perform any such Offices at their Court, as they might hope would prove effectual in this Matter. Upon the whole, it seems to us, that this Pretension of the Princes of *Germany*, is neither favour'd by their Friends, nor by their Enemies; but that neither one or other are willing to be the Authors of refusing it. We hear that the Dukes of *Lunenburgh* intend to protest against the States beginning the Treaty here, before they have procured Passports for them, and the other Princes of *Germany*, in due Form; and we believe it not unlikely, that the Emperor and *Spain* may be willing enough to promote any such Pretexts of Delay; nor do we see what Expedient is like to be found out at present in the Case, unless those Princes will be perswaded to send their Ministers to the Congress, with Orders to pursue their Pretensions here, as those of the Electors did at *Munster*, where they indeed obtain'd them at last; but after having come first to the Congress with Passports as Deputies, and stayed long upon the Place before they were allowed the Treatment they pretended to. If the Ministers of these Princes should come here in this Manner, we do not think it necessary that the Disputes about their Character should delay the Course of the Treaty; in the Pursuit whereof, they would need no Intercourse but with their own Allies, and with the Mediators: And tho' we could not receive Visits from them, or make them any of Ceremony, before their Pretensions were determin'd one Way or other, yet upon Points of Business we might, as we conceive, go to them to their Houses, as well as see them at any Place of Publick Conference, without any Consequence at all, or Derogation to the Dignity of his Majesty's Character: But in this Point we should be glad beforehand to know his Majesty's Opinion.

There is likewise another Point, wherein it will be necessary for us to be instructed, as soon as his Majesty shall think fit; for tho' we had the good Fortune to avoid the making any Proposition of our own, concerning the Manner of beginning the Congress, when M. *Beverning* would have put us upon it; yet we foresee the same Point may return upon us, when that of the *Plenipouvoirs* is over, and the mutual Satisfaction of the Parties in the Form of them shall be declared; and if then they shall press us to direct what the next Pace shall be in the Progress of the Treaty, we do not well see how we can avoid it, nor what Answer is to be made upon it, unless it be, that we suppose the Parties will think fit to draw up all their Pretensions respectively in Writing, upon which they expect the Treaty should begin, and that

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they should all deliver them into our Hands upon a certain Day, to be communicated by us to the contrary Parties, in the same Manner as will be done in the Business of the *Plenipouvoirs*: But in this we humbly desire to receive his Majesty's Directions as early as we can.

Since the writing of this, we have acquainted the *Dutch* Ambassadors with what passed yesterday with the *French* and *Swedes*, upon the Subject of the *Plenipouvoirs*, and that to Morrow had been proposed for that Purpose; to which they consented after some little Demur; so that we expect the Thing will be done to Morrow.

We are here to acknowledge what ought to have been done at the Beginning of this Letter, the Receipt of two from you of the 24*th* and 31*st* past, upon neither of which we find any other Return to be made at present, but that having performed our Offices concerning new Passports for the Bishop of *Strasburgh*, they assured us there would be no Difficulty from the States; and that M. *Blaspiel* had told them, there would be none on the Duke of *Brandenburgh*'s Part; but what the Emperor was like to do in it, they gave us no Account, but charged themselves with representing these our Offices to the States. We are, *&c.*

W. Temple.
L. Jenkins.

Thursday, Nimeguen 9th Nov. 1676.

Right Honourable Sir,

OUR last was of the 6*th*, since which we have none of yours to acknowledge. The next Day after, the several *Pleuipouvoirs* of the *French*, *Swedes*, and *Dutch* Ambassadors, were brought us by their several Secretaries, of all which we inclose you the Copies.

Yesterday (being the Day following) we carried the several Originals to the Ambassadors of the contrary Parties respectively, and left with them Copies of each, compared and attested by ourselves.

Yesterday Morning the *Dutch* Ambassadors, at an Hour they had taken, acquainted us with several Things the States their Masters had, as they said, given them in Charge.

The *first* was, the States consented to that Extent of the Neuter Country, that the *French* had agreed to, upon our Requisition in his Majesty's Name, only they made it their Request to us, that if one little Village more, called *Malden*, lying between this Place and the *Maese*, might be taken in, it would be a Thing that would please their Masters very well. They seem'd to make this Request in Favour of M. *Steenhuys*, lately Lieutenant General of the Horse to this State, who is the Lord of this Village: But when we spoke of it to the *French*, (as we had an Opportunity presently to do) they would not hear of it, saying, they durst move no more in it, having proposed it already in their last Project, and been refused.

A *second* Thing they acquainted us with, that the States their Masters had dispatched and sent them the Passports, we had, upon a Memorial of the *French* Ambassadors, desired of them for the Marquiss *de Vitry*, Envoy Extraordinary from *France*, *en la Basse* Allemagne, returning thence into *France*, and for M. *le Comte de Rebenac*, to go in his Place.

This, they said, the States did for themselves, but desired to be excused from endeavouring to procure the like from the several other Princes

Princes named in that Memorial, partly for that some are named in it, who are not of their Alliance, as the Elector of *Cologn*; and of those that are, some have no Ministers at this Time with them in the *Hague*, as the Duke of *Newburgh*; and partly, for that between the Emperor and *Spain* of the one Side, and *France* on the other, there are Difficulties upon refusing of Passports the one to the other, in which they do not desire to meddle.

THEY themselves had had, they said, some Experience of those Difficulties in the Commerce they have had with M. *de Carriers*, whom M. *Beverning* by the Way did mention, with a Supposition that he is Secretary to the *French* Embassy here; for they having been Suitors to him for a Passport to a Minister of theirs, that they would send to reside at *Frankfort*; (upon the Death of him that was there before) he has answer'd them, that the Intendant at *Maestricht* (to whom he sends for some Sort of Passports) can grant none to publick Ministers, but promised them withal, there should be one procured from *France*; which, tho' this be a good while ago, is not yet done; however their Masters would not, they said, make any Merchandise of Passports; those for Messieurs *Vitry* and *Robenac*, they have already sent us.

A *third* Thing they had to tell us, was upon the several Memorials of the *Swedish* Ambassadors, about the Passage of their Letters through *Denmark*: They did profess their Masters (the States) would do any Thing within their Power, to procure that Satisfaction to the *Swedes*. They did acknowledge also, that the Resolution of the States General on the 18*th* of *May*, for the suspending of the Effect of that Clause, which the Allies had given in their Passports for the free Passage of Couriers, was passed into upon a wrong Supposition.

'TIS therein taken for granted, that *Sweden* as well as *France* had rejected it; but it proved to be otherwise in Fact, tho' the States did not then know of it; for the *Swedes* had allowed of the Clause, and dispatched their Passports, and even exchanged them with *Denmark* accordingly. That which they thought would be the only powerful Argument in this Case was, that the *Swedes* should prevail with the *French*, to declare (as 'tis said in the first Memorial the *French* did offer) that the Couriers into *Spain* should have free Passage as often as should be desired, provided they would be content to follow the *route* that should be assigned and limitted them; and that the *French*, in such a Declaration, should withal design the *route* all along they intended to allow it.

THIS Declaration and designing of the Way would oblige the *Danes* to explain themselves, when the States their Allies should lay it before them; and yet desire no more of them, but an Equivalent, in Regard of the Passage into *Sweden*.

THE *fourth* and *last*, was a Thing that did not relate to the Mediation, as Monsieur *Beverning* said himself, nor to any Thing of the Alliance between the King and the States, but concern'd the Traffick of both Nations. It was, that the King of *Denmark* endeavours to set up a Toll at *Gluckstadt*; and that several of the Electors (in whose Power it is jointly with the Emperor to grant or deny the Thing) did incline to grant it him, which will be of infinite Prejudice to our Trade, they said, as well as to that of the *Dutch*, in those Parts; their Proposal from the States was, that his Majesty would please to concern himself, so as to endeavour to hinder it, by Offices either to the Emperor, or to some of the Electors; (in Regard that one Negative among them is sufficient to hinder this Pretension) they observed to us how the Toll in the

Zundt, which was at first but a *Rose Noble*, is raised of late Years; and how the Princes of *Lunenburgh* have set upon the *Elb* about *Staad*, an Ensign of their Authority, whereby they require the *Dutch* and all Nations to strike to them. This they apprehend may in Time come to be a *Gabell*, and even upon the *Dutch*, who have contributed their Money so largely to that Conquest. The States leave it wholly to his Majesty, how to manage this Office relating to the Toll at *Gluckstadt*, the Ambassadors mentioned, as if the States desired to joyn theirs with his Majesty; but they presently retracted that, saying, 'twas fit to leave his Majesty to choose his own Method. We are, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 13*th Novem.* 1676.

Right Honourable Sir,

SINCE our last of the 9*th*, we have none from you to acknowledge. The next Day being *Friday*, the *Dutch* Ambassadors came to us in the Morning, and told us, they had read over the several Powers of the *French* and *Swedish* Ambassadors, and found them drawn up in such Terms, that tho' they had not received the States Opinion upon them, yet they must tell us from themselves, that as they are Ambassadors here, they could in no wise think fit to proceed upon them, unless they should receive positive Orders from their Masters to that Purpose. They began with the *Swedish* Powers, in which their main Exception lay against those Words: "*verum etiam ad arma suscipienda* "*adacti fuerimus necessitate tuendi Westphalicam Pacem; securitatem*-"*que quæ pace illa stabilita est*," which was a Clause, they said, could never be admitted by the Confederates, who could not allow, that either the *Swedes* were forced to take Arms, or that any Infraction had been made of the *Westphalique* Peace, which might move them to it. That, on the contrary, it was known to all the World, both that the *Swedes* began the War, by invading the Duke of *Brandenburgh*'s Country; and that both the *Danes* and the *Dutch* had entered into it, only by Virtue of a defensive Alliance, which they both had with the Duke of *Brandenburgh*; and that the States had pursued it only by auxiliary Forces. The *second* Exception which they made, was to these Words: "*cum præfatorum Ord. Generalium fœderati Belgii, eorumque Confœde*-"*ratorum ac Sociorum Legatis Plenipotentiariis*; they said, it was too much Honour for their Masters to be named alone, so that they have no Reason to complain; but they mentioned it as a Form, which would not be admitted by the Confederates, who could not (as they believed) think fit to treat upon Powers, wherein their Masters were not named.

From this, they proceeded to the *French* Powers, and said, that being two several Instruments, they would begin with that of the Duke of *Vitry*, Monsieur *Colbert*, and *d'Avaux*; their first Exception lay against this Clause: "*Comme la Paix doit étre toujours le veritable* "*object des guerres qui sont entreprises justment, nous l'avons eu pour* "*fin principale dans celle que nous sommes obligés de Soûtenir de puis* "*quelques années*:" they said, that these Words might be fit for a *Manifesto*, but not for a *Plenipouvoir*, nor could be admitted by the Confederates, since the first Part of them asserted the War to be just on the *French* Side, and the second to be necessary; neither of which they could allow, since all the World knew how *France* had began the War, without so much as advancing any Pretensions.

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Their *second* Exception was to the Words, "*Que visines avec* "*douleur tomber au commencement de l'annee derniere l'esperance que* "*toute l'Europe avoit mise aux Conferences de Cologn*, which they said made a Connexion between the two Treaties of *Cologn* and *Nimeguen*, whereas the States understood, there was none at all, but that this was a Thing wholly new and by it self; neither the Mediators nor the Parties being the same, any more than the Place.

The *third* was against these Words: "*Lors qu'en nommant la* "*ville de Nimegue pour le lieu de Conferences, nous ouvrismes pour le* "*bien de la Chrestienté ce nouveau moyen d'arriver à la Conclusion de* "*la Paix*;" upon which they said, *que la chose n'estoit pas veritable*, since it was his Majesty, and not the Most Christian King, who had named the Town of *Nimeguen*, and thereby made the *Ouverture* of the Congress.

The *fourth* was to the Words, "*& que nous voulous bien attendre* "*de son entremise aupres de l'Empereur l'effet des temperaments que* "*nous avons admis touchant la liberté du Prince Güilliaume de Fur-* "*stemberg*," they said, that by this Clause, the Temperament there mentioned was made a Preliminary of the Treaty, which they understood not to be; and that it might be a Matter fit for Instructions of the *French* Ambassadors, but not for their Powers; that the States their Masters were not at all concerned in the Business of that Prince, but that they knew the Emperor would be *choque* at the mention of it in the *French* Powers.

The *fifth* was to the Words, "*Qu'en celle que nous à esté offert &* "*qui pouroit étre exercée cy aprés par nôtre sanct pere le Pape*;" upon which they said, that they knew of no other Mediation but his Majesty's; and for that of the Pope, they would never have any Thing to do with it: That the States their Masters could not treat upon any Power that had so much as the mention of it. That if the Catholick Princes concerned in the War, intended to make any Use of it, they must give their Ministers new and particular Powers to that Purpose among themselves.

The *sixth* and *seventh* Exceptions lay to these Words, "*de nos* "*tres chers & grands amis les Estats Generaux des Provinces Unies* "*des Païs Bas & de tous autres Princes & Estats leurs Alliez*;" and in another Place, where, after the mention of the States, there followed, "*& tous autres Roys, Princes & Estats leurs Alliez*," upon which Clauses, they made the same Reflexions that they had done upon the like in the *Swedish* Powers, that *France* had done their Masters too much Honour, especially in that Clause, where they were named before *autres Roys*; but that they were sure some of their Allies would not be content to be so comprehended, without particular mention of them, especially the King of *Denmark*, against whom *France* had solemnly declared the War.

Thereupon they represented to us, how improper these Kind of *Prefaces* had been always found for Treaties of Peace; that at *Munster*, after long Disputes and mutual Exceptions made against *Prefaces* of this Kind, brought thither by the Ministers of the House of *Austria* and of *France*, at length a certain Form was proposed by the Mediators, and agreed by the Parties, that it should proceed no further than the Professions of their esteeming Peace the greatest good; of their Dispositions towards it; of their having accepted such a Mediation, and thereupon resolved to send certain Plenipotentiaries to the Place of Treaty, which had been agreed on; hereupon they, the *Dutch* Ambassadors, produced the printed

printed Book, containing the several Treaties of *Munster*, and read the Powers of *France* and *Sweden*; adding, that upon this Example, and the Exception that had been made to a Clause of their own Powers at *Cologn*, which mentioned only, that the States having offer'd Satisfaction to his Majesty and to *France*, they had upon this Treaty resolved to make no *Preface* to their Powers, but *le plus simple que se pouvoit faire*, and such as could not possibly be liable to the least Exception.

THEY said, that upon the Powers given to the Marshal *d'Estrades*, by Way of Substitution in the Place of the Duke of *Vitry*, they had no Reflexion at all to make, but only one Point, which they believed was nothing more than the Mistake of a Pen; the Power of concluding being in one Place given to three, two, or one; and in another Place, only to three, or two of the Number; they concluded that we might be sure that these Reflexions were only their own, and not at all of their Masters, for which there had not yet been Time, since our first Communication of the Powers; but that they would assure us, they had not yet represented their Reflexions upon them to their Masters, nor so much as communicated the several Copies of the several Powers to any Minister of their Allies; tho' both the *Danish* and *Brandenburgh* Ministers had sent to them to desire it; but that they had deferr'd it, in Hopes that by their Communication of them first to us, and ours to the *French* and *Swedish* Ambassadors, they might either produce new Powers, which would not be subject to any of these Exceptions, or at least undertake to procure them before these were communicated by the States to their several Allies, who might make the same or sharper Reflexions upon them; but they said, they would leave it to our Choice, either to communicate to the *French* and *Swedish* Ambassadors, these present Reflexions of their own, with the true Intention of them, or else to defer the Office, till they, the *Dutch* Ambassadors, should have written to their Masters, and received Orders how to proceed upon this Occasion.

WE told them, it was their Part to choose, and that it was ours to do either of them; which they should desire us: They chose the first, and thereupon we promised them to seek the first Opportunity of communicating their whole Discourse to the *French* and *Swedish* Ambassadors; but because the Thing was of so much Consequence, as to import at least some Delay to the main Business of the Treaty, and the Particulars they had mentioned were so many, we desired they would at least mark upon Paper the several Lines and Words in both the Powers, to which they laid their Exceptions, which they promised to do upon Copies which they would send us within an Hour; and we so expected them, being desirous to make this Report to the *French* Ambassadors that Afternoon, before the Closure of their Pacquet, which parted in the Evening; but the Paper was not sent us by the *Dutch* Ambassadors till about nine next Morning, and thereby that Ordinary was lost.

AT the *Dutch* Ambassadors leaving us on *Friday* Morning, a Gentleman came to us from the *Danish* Ambassador, to give us notice of his Arrival in Town, and excusing his not having done it sooner, upon the Disorders of his new House. We returned his Complement about an Hour after, and made him our Visit at four in the Afternoon, which was the Hour given us, and in the same Forms with what we had done before to the other Ambassadors. He told us, he had made his first Complement to us the Mediators, and went through the usual Forms, of the King his Master's great Satisfaction in his Majesty's Mediation, and of the great Easiness and Inclination we should always find in him towards the Peace: In speaking of the Treaty, he said, he heard the

Powers

Powers had been exchang'd, but that he ſuppoſed that was only *pour faire legitimer les Perſonnes.*

We obſerved two Points in his Ceremonials different from what had paſſed with the other Ambaſſadors, which were, that in the firſt Complement by his Secretary, he aſſured us *de ſon amitie & bonne Correſpondence*, and upon our Viſit to him, he received us only at the Door of his Antichamber; but this we ſhall pay in the ſame Form we received it.

Upon *Saturday* Morning, having received from the *Dutch* Ambaſſadors the Copies they had promiſed us of the *French* and *Swediſh* Powers, with Marks given under the Lines and Words, upon which they had made their Reflexions, (and are the ſame that have been ſeverally mention'd in this Letter) we went immediately to the *French* Ambaſſadors, and gave them the Account above recited of all that had paſſed with the *Dutch* Ambaſſadors. The *French*, after many Reaſonings upon the Weakneſs of thoſe Exceptions, and upon the Importance of ſome which they had to make againſt the Powers of the *Dutch* Ambaſſadors, at length referr'd themſelves to what they ſhould ſay to us at the next Conference. We went from thence to M. *d'Olivenkrantz*, who had ſent to demand an Hour of us, and to excuſe his Collegue M. *Oxenſtiern* from coming to us, having been hindered by a Domeſtick Accident. He told us, that his Intention had been, to acquaint us with ſome Defaults they had obſerved in the *Dutch* Powers, which he then did: But after we had likewiſe communicated to him the Exceptions of the *Dutch*, he deſired that he might refer himſelf to a Conſultation with M. *Oxenſtiern*, before he either gave Anſwer to the *Dutch* Reflexions, or advanced their own Exceptions againſt the *Dutch*; both which, he ſaid, ſhould be done at our next Conference.

The ſame Evening, my Lord *Berkley* with his Family arrived here, and came into the Town without any Appearance of Entry or Solemnity, according to the General Inſtructions given us by his Majeſty.

Upon *Sunday* Afternoon, the *French* Ambaſſadors having deſired an Hour, came to us about three a Clock, and told us, that having conſidered of the *Dutch* Objections againſt ſeveral Clauſes of their Powers, and found them all very weak, they had, for Eaſe of our Memories, drawn up their Reflexions upon them in Writing, by Way of Anſwer, which they read to us, and goes herewith in an incloſed Paper. We asked whether their Intentions were, that we ſhould leave the Paper with the *Dutch* Ambaſſadors, or a Copy if they deſired it; but they told us, that nothing having been communicated to them but by Way of Diſcourſe, they intended nothing ſhould be returned other Ways to the *Dutch*; and that having drawn up this Writing only for our Eaſe, they were content we ſhould read it to the *Dutch* Ambaſſadors, but give no Copy of it, and only ſuffer them to take ſhort Memorials of it, if they pleaſed, as they might do out of any other Diſcourſe. But they deſired we ſhould at the ſame Time let the *Dutch* Ambaſſadors know, that they, the *French*, had one Exception to a Clauſe in the *Dutch* Powers, which they conceived would be far more important than all thoſe of the *Dutch* to theirs; and it was theſe Words, *ladite Paix aux Conditions les plus utiles & avantageuſes au bien cet Eſtat*; which Words, they ſaid, were captious, and left a Door open for the States to diſavow, and refuſe to ratify any Treaty that ſhould be concluded by their Ambaſſadors here, upon the Pretence that it was not *la plus utile, & la plus avantageuſe au bien de cet Eſtat*, and that the Ambaſſadors had exceeded their Powers: That ſuch a Procedure was the more

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to be apprehended in a popular State, by whose Constitutions the Voice of one Province, or perhaps of one Town, might possibly hinder the Ratification of a Treaty upon a smaller Pretence: That although this Exception of theirs lay against the essential Part of the *Dutch* Powers, whereas those of the *Dutch* lay only against the formal Part of theirs; yet to shew their Master's great Inclination to a Peace, they were content to go on with the Treaty, if the *Dutch* Ambassadors would do the same, and leave the Exception on both Sides to be redressed in Time, and by the Offices of the several Ambassadors in their respective Courts; and this Expedient they desired us to propose to the *Dutch* Ambassadors; and the Mareschal *d'Estrades* pressed us, that it might be done that same Evening.

IMMEDIATELY after this Conference, we went to the *Dutch* Ambassadors, and finding M. *Beverning* so ill as not to be spoken with, we asked M. *Van Haren*, whether he would then receive what we had to say to him from the *French* Ambassadors, or defer it to another Time, when M. *Beverning* should be present? He chose to receive it then; and thereupon we read the Paper to him, while upon each Paragraph he took short Notes, for the Ease of his Memory; but upon the whole, replied only, that he would communicate it with M. *Beverning*, and that he supposed they should report it to the States their Masters, and receive their Orders upon it: That if the States themselves made no Reflexions upon the *French* Powers, the Thing was ended: But if they did, they must begin again, and do it in Writing, as by Orders from the States.

WE have appointed to Morrow to give my Lord *Berkley* an Account of what Business has passed in the Congress since our Arrival here, and by the reading and considering together of our Commission and Instructions, to fall jointly from that Time into the Exercise of this Imployment. We remain always, SIR, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 16th Nov. 1676.

Right Honourable SIR,

OUR last was of the 13*th*, since which we have the Favour of yours of the 7*th* Current to acknowledge, and in it a Copy of the Clauses that the Bishop of *Strasburgh* does except against in the *Brandenburgh* Passports, and a Copy of Sir *John Paul*'s Letter, containing in it a Declaration of the King of *Denmark*, touching the Passage of the *Swedish* Letters through *Denmark*, to and from this Place.

IT would be a very good Way, as you are pleased to observe, to prevent Mistakes and Disputes about Words, to obtain, if it were possible, a Declaration in Writing, of what *Denmark* is willing to do in this Case; and the *Swedish* Ambassadors thought it a Thing in a Manner necessary, when we communicated to them a Letter of the 7*th* of *October*, that Sir *John Paul* had written to us, to the same Effect as that to you. But we are afraid that the *Swedes* are at this Time off from that, and all other Temperaments, and that they will accept of nothing less than a free and unlimited Passage; for they have not been pleased to make Use of our Covers since the 3 or 4 Posts next after their Arrival here; and we know no Reason for it, but what they

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gave in their laſt Memorial, for their not making Uſe of us as they had began.

How they will help themſelves here, we are the more to ſeek, in that M. *Heugh*, in his Viſit of Ceremony to us yeſterday, declared he had nothing left in his Power for the removing of that Difficulty; that he did not ſee that the preſcribing of a limited *Route* would anſwer the Ends of the *Danes*, ſince no Way can be preſcribed them but through *Bleckin* and *Hollandt*, and conſequently through the Groſs of their Troops, there being no Likelihood but that thoſe Provinces will be ſtill the Seat of the War. However, that this, he ſaid, was certain, that if any Thing was to be done for the *Swedes*, it was to be done in *England* by the *haute interpoſition* (as he worded it) of his Majeſty, where the King of *Denmark* hath a Miniſter inſtructed to treat that Affair, and where ſome Progreſs hath been made in it, but that to be ſure nothing would be done upon this Place.

As for the Biſhop of *Straſburgh*'s Paper, the *Dutch* Ambaſſadors did yeſterday own, that they have been poſſeſs'd of it from us a good while ſince; that they expected Paſſports for him from the States very ſuddenly, in the Form they are deſired; and that they muſt ſpeak with M. *Blaſpeil*, who is here but upon Starts, and *incognito*, for a new Paſſport from the Elector of *Brandenburgh*; his Paſſports, and not thoſe of the States, having given the Cauſe to complain.

We are very glad to find by your Letter, that the Offices we have made here for the Paſſports, and the Stile of Ambaſſadors, inſiſted on by ſeveral Princes of *Germany*, are agreeable to his Majeſty's Meaning, which we perceive is, not to mingle his own Right, or to come to a Declaration of his own Judgment in this Point.

Yesterday we gave the *Dutch* Ambaſſadors an Account of his Majeſty's great Zeal, to prevent the coming of the *French* and *Spaniards* to Extremities, for Want of agreeing, as uſually they do about this Time of the Year, to content themſelves with the Contributions of the Country. The Ambaſſadors were glad to hear of it, and the rather, in that they had underſtood the Commiſſioners of both Sides had lately broke up a Meeting they had had, without any great Hopes of agreeing, and that there is to be but one Meeting more between them.

On *Tueſday* we gave my Lord *Berkley* in the Forenoon an Account of our Proceedings ſince our coming upon this Place, reading over our Commiſſion and Inſtructions together. In the Afternoon, the *Daniſh* Ambaſſador M. *Heugh*, returned to us ſeverally the Viſit of Ceremony we had made him. After the uſual Complements, he took Occaſion to tell us of the Frankneſs he intended to proceed with us in this Negotiation, and how he had already made it his Requeſt to M. *Oxenſtiern*, that he would treat the Matters in Difference between them *en cavalier*, ſuch a Manner of proceeding being not inconſiſtent with their Obligation to keep cloſe to the Inſtructions and Orders of their ſeveral Maſters.

He told us how he had obſerved unto him a Word that had crept into the firſt Memorial of the *Swedes*, about the Paſſage of their Letters, which might have been ſpared, he ſaid, but that Men newly come into Buſineſs from the Univerſities of *Germany*, do not, he ſaid, ſo much conſider how far ſuch Words are an Offence to others, if they prove to be according to their Fancy that hold the Pen: The Word was, *inſolito inter Reges & Principes moratiores exemplo*, and the Choice of it he did impute to M. *d'Olivenkrantz* Affectation.

The ſame Evening the *Swediſh* Ambaſſadors brought us their Defence in Writing, upon the Remarks that the *Dutch* Ambaſſadors had made

on their *Plenipouvoir*; it being expressed in the *Swedish* Plenipouvoir, *that their King had been forced to take up Arms, out of a Necessity to maintain the Peace of* Munster: The Explication they gave to those Words was, that by them they set no Prince or Party in the wrong, only that their King was under a Necessity to do as he did, by Force of a League with *France*, wherein he was engaged to take up Arms, whenever the Case should happen, which happened at the Time he entered into Arms. That the King of *Sweden* being a Party Principal to the Peace of *Munster*, it lies upon him to maintain it, and therefore would let all the World know he aims at nothing else.

To the Objection that might be made, that such Declarations were best left out, as they were in the *Plenipouvoirs* at *Munster*; the Answer was, that those *Plenipouvoirs* were concerted beforehand for that Treaty, so were not these; besides that, the States have less Reason to except against a Clause tending to justify the War, as this is, in Regard they themselves had such another in the Preamble of their *Plenipouvoir* at *Cologn*, and could not be prevailed with to raze it out, as may be made appear by a Resolution of theirs (the States) to that Effect.

The other Exception that the *Dutch* Ambassadors had made was, that their Allies were not named and specifyed in the *Swedish Plenipouvoirs*. The Answer is, they did it, 1*st*, That they might thereby avoid giving Offence to several Kings and Princes in the Rank they should put them into. 2*dly*, That since the Number of the Allies might increase or diminish (as the Duke of *Newburgh* is come into them since the Date of the *Swedish Plenipouvoirs*) they would avoid the Trouble of being obliged to procure new *Pouvoirs* upon every Change. 3*dly*, That they did avoid to bring a particular *Pouvoir* for each Ally, least it should be thought a Design of treating not a General, but a separate Peace.

This we take to be the main Scope and Substance of their Defence, but we send you a Copy inclosed of the Memorial at large.

They having understood that we had had the Defence of the *French* in Writing, and had been desired to use it only for the Help of our Memory, in our Report to the *Dutch* Ambassadors, but not to leave any Copy of it with them; they pray'd we would make no other Use of their Paper, nor leave any Copy of it with them, the *Dutch*; and the Title they gave it, is to that Purpose.

They added further, that in Regard much Time may be lost about Words and Sentences, not essential to the *Pouvoirs*, they would be willing to enter forthwith into Matter, provided the *Dutch* Ambassadors would do the same; and would be contented to engage that their Court should furnish a *Plenipouvoir* in such a Form, as the Mediators should think sufficient, and void of Exception.

One Thing more they added, in Answer to the Offices we had formerly made with them, about Passports with the Stile of Ambassadors to the Ministers of those Princes of *Germany* that insist upon it: It was, that their present Instructions do tie them in those Matters to the Stile of the Treaty at *Munster*; however, that they had written about it into *Sweden*, but could not answer for any Return, in Regard of the Difficulties that their Letters do meet with in *Denmark*.

Yesterday Morning we carried this Memorial to the *Dutch* Ambassadors, who took Notes of it, as it was read to them; as to the Offer they, the *Swedes*, had made, as well as the *French* before, of entring into Business in the *interim*, while the *Plenipouvoirs* were re-

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forming; the *Dutch* Ambassadors Answer to the one and the other was, that they must expect Orders from their Masters.

But they agreed freely enough, that the Exception made by the *French* and *Swedes*, against their *Plenipouvoir*, where the Peace is directed to be made, "*aux Conditions les plus avantageuses & utiles au bien* "*de leur Estat*, was not without Reason: That they had so represented it to their Masters, and doubted not but it would be amended; adding, that if the *French* Ambassadors would do the same, that is, get their *Plenipouvoir* reformed as soon as may be, they thought the Difference concerning *Plenipouvoirs* would be at an End, without engaging the Parties in Contestations by Writing.

As the *French* had made one Remark more upon the *Dutch Plenipouvoirs*, which was, that the relative Word *ainsi*, reduced yet more strongly all that was to be done to the Uncertainty in which the foregoing Words, *Conditions les plus avantageuses*, left them; so the *Dutch* told us they had found another Matter fit for Reflexion and *Ecclaircissement* in the *French Plenipouvoirs*; it was, that the Most Christian King mentions other Princes his Allies, after Mention made of the King of *Sweden*, and they (the *Dutch*) not knowing of any Thing themselves, are concerned they may know them in Time, they being willing, by an authentick Declaration, to give in the Names of all that are in Alliance with them in this War.

This we acquainted the *French* Ambassadors withal; their Answer was, that their King would have several Princes to take in and comprize as his Allies, when this Peace should be made up; and that they are not bound to discover any Alliances they may have with those that are no declared Parties to the War.

But for this and all other Remarks, the Answer they stood upon was, that if the *Dutch* would treat in the mean time, they would undertake to procure such *Plenipouvoirs* from their Court, as the Mediators should propose as a Form indifferent for all Parties; but that if the *Dutch* must attend for Orders from their Masters upon the *Plenipouvoirs*, before they do any Thing, they (the *French*) must do the same.

W. Temple.
L. Jenkins.

Nimeguen, 20*th Nov.* 1676.

Right Honourable Sir,

In our last of the 16*th*, we gave you an Account of the Offer made both by the *French* and *Swedish* Ambassadors, to charge themselves with the procuring new Powers, in such a Form as should be agreed upon by the Mediators, provided the *Dutch* would do the same, and in the mean time enter into the Business of the Treaty.

We could not communicate this Proposal to the *Dutch* Ambassadors until *Saturday* last, by Reason of M. *Beverning*'s Illness; but having then done it, they answered us, that having represented to their Masters the Exceptions made on all Sides to the several Powers, the States had resolved to give full Satisfaction to the *French* and *Swedish* Ambassadors in what had been objected against theirs; and had thereupon given Orders for the Dispatch of new Powers, which were already come to their Hands, with the Omission or Change of those Clauses, against which the Exceptions lay. They added further, that to shew

 their

their Masters Inclination and Sincereness in the Course of this Business; they were content to proceed in the Treaty, and enter immediately upon Matter, in Case the *French* and *Swedish* Ambassadors would oblige themselves, by an Act under their Hands, to procure new Powers in such Form as should be proposed by the Mediators.

We acquainted yesterday both the *French* and *Swedish* Ambassadors with these Discourses of the *Dutch*, which they both took notice of as Testimonies of the States sincere Procedure in the present Treaty; but gave us indifferent Answers upon them. The *Swedes* said, that they found the Proposition agreeable with the Intentions wherein they had left their Master, and therefore should make no Difficulty of engaging themselves to procure new Powers in the Form mention'd, nor signing an Act to that Purpose, and therefore they desired us to draw up, as soon as we pleased, both the Form of Power they were to procure, and the Act they were to sign.

The *French* told us, that tho' upon the first Exceptions advanced by the *Dutch* to their Powers, and by them to those of the *Dutch*, they had offer'd to proceed in the Treaty, in Case the *Dutch* Ambassadors would have done so too; and in the mean Time, have performed their mutual Offices towards their respective Masters, for the Redress of such Clauses in their Powers against which the Exceptions lay; yet since the *Dutch* Ambassadors had now represented the whole State of that Matter to their Masters, and received Orders upon it, they esteemed it necessary for them (the *French* Ambassadors) to do so too. They say, they had given an Account of the whole Business to the King their Master on *Friday* last, and doubted not but in few Days to receive Orders upon it.

The same Evening we communicated both these Answers of the *French* and *Swedes* to the *Dutch* Ambassadors, who said only upon them, that they must attend till the *French* had received their Orders from Court, and that they could not take any Measures separately with the *Swedes* in this Matter. That in the mean Time they doubted not but their Allies would be arrived here; the Count *Kinski* being already at *Cologn*, and Monsieur *Somnitz* at *Cleves*.

The *Dutch* Ambassadors had told us, they had Orders from their Masters, to desire us, that the neutral Country being now concluded upon by his Majesty's Mediation, we would move his Majesty hereupon, to pass an Act of Guarranty for the Neutrality both of this Town, and of so much of the Country about it, as was agreed on to that Purpose.

The *Brandenburgh* Ambassadors being expected here in very few Days, and the *French* Ambassadors being resolved to treat them in the same Manner that was practised at *Munster*, and since at *Frankfort*, which was, to give the Hand and *Pas* to the first of the Embassy, but not the rest; we suppose it is his Majesty's Intention we should do so too; the *Swedish* Ambassadors being likewise resolved upon the same Course; but we shall be glad however to receive one Word more of positive Direction in the Case.

We find ourselves instructed by your Answer upon some Queries made by me, Sir *Leoline Jenkins*, before my coming away, to pretend to the Rank of the Emperor's Ambassadors, as well as others here in Quality of Mediators. But we find ourselves referr'd by you at the same Time to farther Enquiries, how that Matter passed between the *Swedes* at *Cologn* and the Emperor's Ambassadors there. We cannot satisfie our selves here as yet in that Point, as to Matter of Fact; nor do we hope to gain much Light in it from the *Swedish* Ambassadors here, whom we do not find open or free as we expected, either in the Acknowledgment

ment of what was given to them as Mediators at *Cologn*, or in the Expressions of what they intended to give us upon the same Occasion here. But of this we shall possibly be obliged to give you some further Account hereafter; in the mean Time, we shall be very glad to know his Majesty's Pleasure more directly, what we shall pretend in this Point with the *Imperial* Ambassadors, whenever the Case shall happen after their Arrival here.

Upon *Saturday* and *Sunday*, my Lord *Berkley* received the first Visits from the other Ambassadors here; but having not yet returned them, has been thereby hindered hitherto from entring into Business, which we suppose his Lordship will be ready to do by the next Ordinary.

There fell out on *Saturday* an unlucky Accident in the Visit intended his Lordship by M. *Oxenstiern*. My Lord *Berkley* had given M. *d'Avaux* three a Clock, and assures us, that he first gave M. *Oxenstiern*'s Secretary between three and four, but at his going away, desired it might be a Quarter before four. M. *Oxenstiern* came while M. *d'Avaux* was with my Lord *Berkley*, and not finding his Lordship there to receive him, went away: My Lord *Berkley* sent his Secretary to excuse it, but Monsieur *Oxenstiern* return'd him Answer by Monsieur *Agriconius*, that he expected what he had done should pass for a Visit; and that thereupon my Lord *Berkley* should return it him, as if it had been made in Form. He pretends that the Hour having been given him between three and four, any Time after three was his own, and that he did not come till a Quarter after three. Not only my Lord *Berkley*, but M. *d'Avaux* affirms, that he, M. *d'Avaux*, having come earlier than his Time, (upon the Knowledge that Monsieur *Colbert*'s Visit was over) was out of my Lord *Berkley*'s Door by three a Clock, and that Word was brought of Monsieur *Oxenstiern*'s Arrival, by that Time he and my Lord *Berkley* were set down. Upon all which Circumstances, and other in *Agriconius* his Discourses to my Lord *Berkley*, his Lordship believes it was a Thing affectedly done by M. *Oxenstiern*; and assuring himself to have made no Fault, cannot well resolve how to offer any Satisfaction without his Majesty's Orders in the Case; tho' we find his Lordship to be very well disposed to admit any Temperament, in which he might hope to be allowed by his Majesty; but this Matter will be related to you more at large by his Lordship this Ordinary, and to M. *Courtin* by all the *French* Ambassadors here, who do not believe my Lord *Berkley* to have made any Fault in the Course of it; and therefore we shall not enlarge that Trouble any further at present, but remain always, Sir, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 23*d Novem.* 1676.

Right Honourable Sir,

Since our last, which was of the 20*th*, we have the Favour of yours of the 14*th* Current to acknowledge; and therein several Directions very seasonable for our Government here.

As for the Passage of the *Swedish* Letters through *Denmark*, (which you are pleased in your Letter to begin with) we have already given you an Account of what M. *Heugh* took Occasion lately to speak of it, and of the good Disposition, in which we have always found the *Dutch* Ambas-

Ambassadors (and they have still assured us their Masters are in the same) to do what lies in them to remove this Obstacle out of the Way; they professing themselves to be sensible, (as all Men living must be) that we cannot hope for any Dispatch of Business from the *Swedes*, as long as they are debarred the Communication of Proceedings here with their Master.

I, Sir *William Temple*, shall make it my Business to renew my Instances with the Pensioner, and with the States too, when I am at the *Hague*, as I intend to be within few Days, that his Majesty's Offices towards the King of *Denmark* may be seconded by them and the Allies; and we shall be sure all of us to take this fresh Occasion to apply ourselves to M. *Heugh* and M. *Beverning*, the other *Dutch* Ambassadors being not in Town at this Time.

As to the Steps that are to be made towards the Subject Matter of the Treaty, (when the Difficulties upon the *Plenipouvoirs* are over) we are most humbly thankful for his Majesty's gracious Directions therein, which we shall be sure to keep close too, that being now a beaten Path, as appears by the Practice at *Munster* and *Cologn*.

As to the Ministers of the Princes of *Germany* not Electors, (which was the last Point in your Letter) it is clear according to the Practice of this Assembly hitherto, which hath been to give the first Notification to the Mediators; the Difficulty of visiting those that shall come with the Style of *Ambassadors*, will first light upon us; and therefore, in Pursuance of his Majesty's Directions, we shall, when any such Minister gives us notice of his Arrival, if he does it in the Stile of *Ambassador*, let him know, that if that Point were determin'd among the Princes here engag'd in the Treaty, we should not fail to give him the first Visit; but while that is depending, we can do no more, but return him our Complements by our Secretaries upon his Arrival: But in Case they do not use the Stile of *Ambassadors*, we suppose we are then to expect the first Visit from them, as is the Practice between Ambassadors and Envoys in all other Places.

The *French* Ambassadors, in an ordinary Conversation with me Sir *William Temple*, and M. *d'Olivenkrantz* in the like with me Sir *Leoline Jenkins*, took Occasion to desire us, that we would draw up a Form of *Plenipouvoirs* that may serve in general for all Parties, which they would communicate, they said, to the Kings their Masters, to prepare them beforehand, for the saving of Time.

We excused ourselves till the Thing was desired of us by the joint Requisition of the Parties, but told them, having spoken of the Thing together, our Opinions were, to propose a Form for a Preface only; and to leave the dispositive Part of it to the Stile of each Court, for so it was at *Munster*; for notwithstanding the *French Plenipouvoir* there was reformed, the Dispositive in it was left entire; and 'tis the same that had been used with *Vervins* before, and hath been since used at the *Pyrenees*, *Aix la Chapelle*, and *Cologn*.

For the Preface, we told them, we thought it would do best to extend it no further than only to the mention of his Majesty's having offer'd his Mediation to such or such a Prince, and of its being accepted by him, and by all the Parties engaged in the War, and of the Town of *Nimeguen*'s being agreed on for the Place of Congress; and that therefore, such and such a Prince had sent such and such Persons his Plenipotentiaries, *&c.* The *French* Ambassadors did seem to approve of this Form of a Preface very much, we would be very glad to know his Majesty's Opinion upon it before the Case happens.

LAST

Last Night we acquainted the *Swedes* Ambassadors with those Orders his Majesty hath been pleased to give to Sir *John Paul* in *Denmark*, and to us here, to renew our Instances (as also in what Manner we are directed to do it) about the free Passage of their Letters through *Denmark*; this Notice they received with all humble Thanks and Acknowledgments to his Majesty.

In this Conversation we had some Discourse of the unfortunate Accident between my Lord *Berkley* and M. *Oxenstiern*; we found, that tho' he would not allow of his having made any Fault on his Side, yet he expressed a great deal of Willingness to come to any Accommodation of this Business, but still to preserve his Master's Honour; this gave us Occasion to assure him of the same good Disposition in my Lord *Berkley*.

My Lord *Berkley* having not finished his Visits of Ceremony till last Night, does not sign this Dispatch; but beginning this Day, as he does, to enter upon the Functions of our Commission, he will be sure to sign the next.

This Morning the *Swedish* Ambassador M. *Oxenstiern* was with us, to acquaint us, that they had this Day Advice from the *Swedish* Minister at *Paris*, that the Most Christian King would consent to a certain *Route*, such as should be prescribed for Couriers hence into *Spain*; and that the *French* Ambassadors had Orders to declare so much to us here, in order to our obtaining the like Passage through *Denmark*, for Couriers between this Place and *Sweden*.

This we hope to improve towards the final establishing of this Matter, in Pursuit whereof I, Sir *William Temple*, have promised M. *Oxenstiern* the most vigorous Instances I can with the States and their Allies, while I am at the *Hague*. We are, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 27*th Nov.* 1676.

Right Honourable Sir,

SINCE our last of the 23*d*, we have none from you to acknowledge. Upon *Friday* Morning M. *Beverning* acquainted me, Sir *William Temple*, with an Incident arrived here the Day before, that the Titular Bishop of *Utrecht* came to the Magistrates of this Town, to let them know, that the Pope's Nuncio *Pallavicini*, now residing at *Cologn*, had received Orders to come to this Place, upon his Master's Mediation in the present Treaty of Peace; but desired first to know, whether they, the Magistrates, would answer for the Security of his Person and Family here: The Magistrates took Time to advise with M. *Beverning* upon it; M. *Beverning* told them, it was a Matter wherein they, the Magistrates, could give no Answer, without Orders from the States, or Advice from the Mediators, and that he would charge himself with demanding both the one and the other; and thereupon he came to desire our Advice, according to Orders which he had received from his Masters, whenever any such Case should happen. I told him, it was a Thing wherein I could say nothing at all, but would consult with my Collegues, and then we should give him our joint Answer.

Upon Consultation together the same Day, we all three resolved this Answer should be given to M. *Beverning*: 1*st*, That it was a

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Thing wherein we were not at all instructed. 2*dly*, That for our selves, we conceived it an Incident wherein we were not concerned; esteeming our Part to be, to perform Offices between Party and Party engaged in the War, but not to interest ourselves whether any other Party were admitted or not admitted into this Mediation, and consequently, that we desired to be excused from giving him (M. *Beverning*) any Advice in this Case.

We drew up these Words in Writing for a Memorial among our selves, and agreed that we, Sir *William Temple*, and Sir *Leoline Jenkins*, (my Lord *Berkley*'s Indisposition not suffering him to go Abroad that Day) should acquaint M. *Beverning* with it, but in Discourse only, according to the usual Way hitherto observed, and like to continue, till we actually enter into the Matter of the Treaty.

Upon this Answer, M. *Beverning* entered upon very large Discourses concerning the Difficulties we should meet with, in case of a Nuncio's Arrival here; how unavoidable it would be for us to fall into Commerce with him, in case of his entring upon the Mediation in the same Place, and yet how contrary that would be to our Constitutions and Practice, and how difficult the Point of Precedence; since, he said, we considered the Pope but as a Temporal Prince, whereas all the Catholick Princes would certainly give him the Precedence before all other Mediators.

We easily perceived that all these Discourses were intended to possess us so far of the Troubles that would befal us by this Accident, as to engage us thereby in all possible Endeavours to prevent it; but when he saw that we kept close to our Answer, and told him, for what concerned ourselves, it would be Time enough to resolve, when the Difficulty should befal us; he then desired us, that we would go to the *French* Ambassadors, and acquaint them with the Case, and let them know, that tho' on the one Side, the States could not *honnêtement* refuse the Entry of this Place to the Nuncio, if he should offer to come hither, since it was made a neutral Town for the Use of the Congress; yet they, the States, could never have any Thing to do with him in the Course of this Treaty, nor take any Notice of his Mediation, and that because he foresaw this Accident might prove *un embaras au Congrez*; he desired the *French* Ambassadors would use some Means on their Side, *pour le detourner docilement*, whilst the States would endeavour the same, on the other Side, with their Allies: And this, M. *Beverning* told us, we could not refuse to do, being only an Office desired by one of the Parties towards the other. We told him, we would do it, and in the same Manner he desired; which we performed accordingly the same Evening.

The *French* Ambassadors Answer was, that it was a Matter they were not at all instructed in; but the King their Master having accepted the Mediation of the Pope, (as the Emperor and King of *Spain* had likewise done) whenever any Nuncio should arrive in this Place, they, the *French* Ambassadors, should give him all the Honour that was due to him, instead of using any Endeavours to divert him from coming hither; that they supposed that the Mediation of the Pope was a Thing that would not touch the States General here, any more than it had done at the Treaty of *Munster*; but that it was a Matter for them, the States alone, to resolve of, whether they would admit him into this Town or no.

This we reported from the *French* Ambassadors to M. *Beverning*, who seemed to wonder they should profess to have no Knowledge before of this

this Matter, which he thought had been concerted with them. He ſaid, he was ſure the Biſhop of *Utrecht* was not a Perſon *pour fuire une fourberie*, being a very good and a learned Man; but whatever the Bottom of this Matter was, he ſhould repreſent it to his Maſters, and believed they would be ſo wiſe, as not in any kind to refuſe the Entry of this Town to the Nuncio, whenever he came hither.

In the ſame Conference he told us, that he had certain News of the Count *Kinski* being parted from *Cologn* two Days before, but that he was informed it was with Intention of going to *Cleves*; that if it were true, and he ſhould ſtay there any Time, he (*M. Beverning*) would take Occaſion to let him know, that he ſhould conſider his being there as ſtill abſent from the Congreſs, and ſhould go on in the Treaty without him, in caſe he came not hither whenever the *French* Ambaſſadors ſhould receive Orders from *France* to enter into Buſineſs, with Aſſurance of procuring new Paſſports.

He deſired us, that when this Diſpatch came from *France*, we would loſe no Time in giving him Notice of it, to the End, that if the *French* gave in to the Expedient, they, the *Dutch*, might fall into Conſultation with thoſe of their Allies that ſhould be preſent here, ſo as to acquaint one another with their mutual Neceſſities, and give Notice to ſuch as ſhould be abſent, that they were forced to proceed without them.

Upon *Saturday* Night M. *Caſpers*, who ſtiles himſelf Councellor and Envoy of the Duke of *Newburgh*, came to us, being newly arrived here; he told us, he came upon the Pretenſions of his Maſter, to the Style of Ambaſſadors for his Miniſters, without which he could not ſend them to the Congreſs; and becauſe at his laſt being here, the *French* Ambaſſadors had referr'd that Matter to the Precedents that would be produced upon it, he had, upon Search into the Archives of the Dutchy of *Juliers* and *Cleves*, found out ſeveral that were clear in the Caſe, and whereof he was ready to produce the Originals, if the Mediators ſhould eſteem it neceſſary; that he expected very ſuddenly further Examples ſhould be ſent him by his Maſter, as to what concern'd the Dukedom of *Newburgh*; but ſuppoſed theſe at preſent were enough for Evidence in that Matter.

We deſired him to give us his Allegations in Writing, that we might repreſent them both to his Majeſty and to the *French* Ambaſſadors, which he promiſed; ſo that we hope to ſend you them incloſed with this Letter; but for Fear they ſhould fail us in that Form, we may tell you here, that they conſiſted in three Inſtances; the 1*ſt*, A Treaty of Alliance between *Francis the Firſt*, and Duke of *Juliers*: The 2*d*, A Treaty of Marriage between *Henry the Eighth*, and *Ann* of *Cleves*: And the 3*d*, A Letter of Recreance from the King of *Sweden*, by a Miniſter of this Duke of *Newburgh*; in all which were uſed the Style of Ambaſſador, that is, *Legatus* in the two firſt, and *Geſandt* in the laſt.

We obſerved upon the whole, the Scope of his Argument was, to diſtinguiſh his Maſter's Pretenſions from any other Prince of the Empire, upon the Dignity of his Houſe, being greater than any of them, and equal with the Electors: He ſaid, he had Orders to attend here in Purſuit of this Affair, till it ſhould be determined; upon which the other Ambaſſadors deſign'd by his Maſter would likewiſe arrive, he being one of the Commiſſion intended.

Just now the Duke of *Newburgh*'s Envoy ſent us a Letter, of which we here incloſe you a Copy: We have not Time by this Poſt to ſend

 you

you Copies likewise of the several Instruments to which this Letter refers, and which we shall take Care to transmit to your Hands by the next. We remain always, Sir, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 30th Nov. 1676.

Right Honourable Sir,

OUR last was of the 27*th* Instant; we have since the Favour of yours of the 21*st* to acknowledge.

We shall not now repeat any Thing of the Account you were then in Expectation of, as to what should be said by the *Swedes*, or the *Dutch*, for or against each other's Powers, we having already given you Part of all they have committed to us upon that Subject: But since it is his Majesty's gracious Pleasure, to leave the adjusting of this Matter of Powers to us, we shall endeavour to govern ourselves with all Impartiality towards the Parties, and also according to those Precedents and Expedients that have been admitted of, upon the like Difficulties, in former Treaties.

Our Negotiation is at a Stand at this present, 'tis in Expectation whether the Court of *France* will order their Ambassadors to enter into Business forthwith, and to leave it to the Mediators to prepare, in the mean while, such a Form of a *Plenipotentir*, as shall be void of all Exception. This the *Swedes* and the *Dutch* have declared themselves ready to do for their Parts, M. *Beverning* expressing himself very frankly, that they, the *Dutch* Ambassadors, have all they intend to ask ready digested in Writing, and have Orders to give it in without further Delays, in case the Expedient about the Powers be accepted of.

We are very glad to be possessed of your Remark, upon a Matter which the *French* Ambassadors do at every Turn set forth, laying Claim, as it were, to his Majesty's Endeavours, to prevail with the Emperor for admitting of that Temperament, which *France* was willing to come to about Prince *William* of *Furstemburgh*. We do easily foresee the Business of that Prince will be one of the first Things the *French* Ambassadors will offer to a Debate, when we come to enter into Business; M. *Colbert* having told me, Sir *Leoline Jenkins*, in a particular Conversation on *Monday* last, that they must advance it as a Thing, wherein the Honour of their King was too much concerned, not to make it one of the first Businesses of this Treaty; since that Prince was so much a Sufferer for his Affection to *France*, and not guilty of the Crimes charged upon him against the Empire. I hereupon took Occasion to represent to him what a Disappointment it would be to the general Expectation, if they, the *French*, should, instead of propounding Means to re-establish a General Peace, and to re-unite all the Parties, enter into the Debate of the Business of Prince *William* as a Preliminary, which would take up a great deal of Time, and yet at last would be of no Moment, which Way soever decided, to further the Peace.

His Reply was, that the Most Christian King cannot in Honour do otherwise than make this his first Business; and that it would be a Thing of ill Example, to sacrifice those that had stuck to him, as that Prince had done.

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This gave me Occasion to lay before him the ill Effects that such a Proposition as this had had at *Munster*; where the *French*, in their first Proposition, asked the Liberty of the Elector of *Treves*, when the *Imperialists* and *Spaniards* in theirs had proposed Terms and Means (as it was expected the *French* should likewise have done) to come to a general Accommodation: The *French* were then forced to forego that Proposition, and to come to others that might be treated as the Subject Matter of the Peace; and yet there is this Difference between those two Cases, that the Imprisonment of the Elector of *Treves*, being in Alliance with *France*, was made by *France* the Cause of its declaring the War against *Spain*; whereas the Imprisonment of the Prince of *Furstemburgh*, is directly and immediately the Quarrel of the Elector of *Cologn*, (whose Ambassador he was) but that *France* had found a Reason to concern itself in it.

M. *Colbert* was pleased to acknowledge, that this Proposition about Prince *William* would not do well to be exposed alone, but that nothing hindred it, to be mingled with other Propositions relating *au Gros de l'affaire*; so that upon the whole Matter, we must expect the Business of Prince *William* to be one of the first Things that will be brought here into Dispute.

We shall not fail to give the *Dutch* Ambassadors notice, how far his Majesty has been pleased already to interest himself in the Affair of the new Toll at *Gluckstadt*, and how ready he will be to joyn with the States General in any Offices, in Order to preserve the Right of Commerce to so many neighbouring Nations, from such Encroachments.

In our last went inclosed the Letter of Monsieur *Caspers*, Councellour of the Duke of *Newburgh*, about the Pretensions of his Master: In this we inclose those Copies we had not then Time to transcribe, being the Extracts out of two several Treaties made between King *Henry* the 8*th* of *England*, and *Francis* the 1*st* of *France*, with the Duke of *Juliers*, which M. *Caspers* refers to in his Letter. We remain always, &c.

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 4*th December.* 1676.

Right Honourable Sir,

Since our last of the 30*th*, we have none of yours to acknowledge. The same Evening, the *French* Ambassadors came to us, and acquainted us, that they had received an Answer from their Court, upon two of their Dispatches, containing the Objections made to their Powers by the *Dutch* Ambassadors, and the Discourses which had passed upon them; that the King their Master found very little in them worth Reflexion, but yet was content to give a particular Power for treating with the King of *Denmark*, if it were insisted upon; and where it is said, *nommant la ville de Nimegue*, he was content it should be said *proposant*; but for the other Clauses against which they excepted in the Preface, he saw no Reason to alter any Thing in them. That for the first, he thought he might speak honourably of the Cause, and Justice of the War, and of his Arms; and the other Parties might do so too. That for the Affair of Prince *William*, it was necessary for his Honour to mention it, since he had long declared, that he would

not treat till Satisfaction was given in that Point, and had at length resolved to send his Ambassadors from *Charleville*, only upon his Majesty's Promises to employ his Offices for obtaining it from the Emperor, upon which he had not doubted the Success. That he could in no Way dispense with the Clause which mentioned the Pope's Mediation, being to treat upon these Powers with the Emperor and *Spain*, who had accepted it, as well as with the States.

THIS was the Sum of their Answer; upon which we put them in mind of the several Conferences which had been in this Matter, whereof the two first had passed only in the mutual Objections between the Parties, but the third had ended in the Account of the States having amended their Powers, and in the Offer of treating, in case the *French* and *Swedes* would oblige themselves by an Act under their Hands, to procure new Powers according to a Form that should be agreed upon by the Mediators. We desired to know, whether what they had now told us was to be given the *Dutch* Ambassadors for Answer to what had passed at the last Conference, as well as at the others; they seemed a little to differ at first in their Opinions, but at length agreed, that it should be given them as a general Answer; since they did not believe the King their Master was likely to change his Mind, or that it could consist with his Honour, to alter the Form of his Powers. But the same Evening meeting with them in Conversation, they desired us, that when we should make this Report to the *Dutch* Ambassadors, we should take Occasion to let them know, that they had not yet received Answer upon that Dispatch, which contained the last Offer from the *Dutch* upon this Matter.

UPON *Friday* Afternoon, we accordingly reported all that had past to M. *Beverning*, who is at present alone here; he told us upon it, that he observed nothing new in this Answer, or that differ'd at all materially from what the *French* Ambassadors had formerly made; so that he supposed, the Dispatch they had now received from their Court, was nothing more than an Approbation of what they had first said upon his Objections; and that since they had not yet received any Answer to his last Proposal, which was according to the Expedient used in the Treaty of *Munster*; He thought it was best *de ne se rompre pas la teste de toute ce discourse*, but to expect a further Answer, which might come in Course by the next Ordinary: He said it would be indifferent to him, if the *French* would either agree to a common Form of Powers that should be drawn up by the Mediators, or make use of their own Form by Way of Constitution for all their Ambassadors, which they had already used in the Substitution of the Mareschal *d'Estrades*, and wherein he did not except against any Word; since upon Discourse with the *Danish* Ambassador here, he seemed to content himself with his Masters being included in those Words, which after the States General name *tous Roys & Princes leurs Alliez*; whereas in their first Powers, it was only *tous les Princes leurs Alliez*; he said, that for the Change of *nommer* for *proposant*, it was a Bagatettel; that for other Exceptions about justifying the War, and the Mention of Prince *William*, they were made as against Clauses more likely to *choque* their Allies than themselves, who were not so delicate in Points not very material; that there was only one Point which was essential to the States, and upon which they could never treat, and this was the Pope's Mediation; that this was a Thing that had never been offer'd to his Masters; and if it should be so, they knew very well what Answer to give it: That the Powers would be publick, and for that Reason they had never consented to the Mention

Mention of any such Mediation at the Treaty of *Munster*, tho' it had been exercised there between *France* and *Spain*; that he could not see any Difficulty for *France* to give two Powers, the one to be used upon his Majesty's general Mediation, which had been accepted of by all the Parties; and the other, with the Mention of the Pope's Mediation, which had been accepted, and might be usefully employed among the Catholick Princes, if any Difficulties in the Treaty should remain particularly between them. That if *France* would satisfy them in this Matter, either by sending a new Power in the Form of the Marshal *d'Estrades* Substitution, or by consenting to another that should be drawn up by the Mediators, tho' he could not engage that all their Allies should approve of either; yet he would engage, that if they did not, the States should proceed in the Treaty without them: And for his Part, that the very next Day after such a Dispatch should come from *France*, he would send an Express to the Count *Kinski*, (who we heard was fallen Sick at *Cologn*) to let him know, that tho' he was sorry for his Illness, yet he must not expect that the Treaty of Peace should *demurer au lit aussi sur cette occasion.*

Upon *Saturday*, we gave Account of all these Discourses to the *French* Ambassadors, who, tho' they argued for their Master's adhering to their first Form of Powers, and especially in the Insertion of that Clause concerning the Pope's Mediation; upon which, they said, the States might protest as a Thing they neither accepted nor were concern'd in; yet they concluded, that they must attend upon a further Answer from Court, which they expected would come on *Thursday* next.

After this Conference, M. *d'Estrades* desired, that we would give him M. *Beverning*'s Answer in Writing; upon which we concluded, that the Account we have given you of it here should be translated into *French*, and read to them, the *French* Ambassadors, so as they might take Notes upon it if they pleased.

We acquainted them likewise with the new Instances and Allegations offer'd us by the Duke of *Newburgh*'s Envoy here; they answer'd upon them, that none disputed the Princes of *Germany* having *Jus Legationis*; but that the Right of sending Ministers with the Title and Treatment of Ambassadors now in Use, was at first peculiar only to the Crown'd Heads, and by their Consent allowed since, first to the Republick of *Venice*, and after to that of the United Provinces, and last of all, at the Treaty of *Munster*, to the Electors. But that this Pretension of the Princes was never heard of till now; and that their Master could answer no further upon it, till he knew whether it was a Thing desired, and which could be granted by the Emperor and *Spain*, and the other Kings engaged in the War.

Upon *Thursday* last, some Companies of the Duke of *Courland*'s Regiment passing thro' this Town, one of them being very drunk, and meeting M. *Carriere* with another *French* Gentleman in the Street, began to use great Insolence towards them both in Words and Action, so as they were forced to save themselves in a Burgher's House; upon which the *French* Ambassadors made sharp Complaints to us, and we did the same to M. *Beverning*, who expressed so great a Resentment upon it, with Desires both to find out and punish the Men, and to prevent any such Disorders for the future, that the *French* Ambassadors profess to be perfectly satisfied in the Matter.

On

On *Friday* Night *Don Pedro de Ronquillo* arrived here in Town, but we have yet taken no Notice of it, having received none from himself. We remain always, Sir, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 7*th Decem.* 1676.

Right Honourable Sir,

OUR last was of the 4*th*; since which we have none from you to acknowledge.

The *Swedish* Ambassadors having given us to understand, that their Master's Minister at *Paris* had informed them, how that the *French* Ambassadors had had the Orders of that Court to declare to us, that the Most Christian King was willing to grant free Passage to all Couriers that the *Spanish* Ambassadors should have Occasion to send from this Place of Treaty to *Madrid*, desired us to take some Occasion to put the *French* Ambassadors upon this Declaration, in Regard they, the *Swedes*, had found them unwilling to make any such Declaration, without some Cause given them, together with a Prospect of obtaining the Reciproque from the *Danes*.

On *Tuesday* we took an Hour of the *French* Ambassadors for that Purpose, and having observed to them, how the *Dutch* Ambassadors had laid hold of the *Swedes* Memorial of the $\frac{11}{21}$*th* of *September*, importing, that the Most Christian King offer'd to make good that Conveniency to *Spain*, that the *Dutch* think it of Moment, if it were so declared, to induce *Denmark* to agree to the like on that Side; having also acquainted them with the Advice the *Swedish* Ambassadors had lately received from *Paris*, they, the *French* Ambassadors, told us, their King had given them Commission to declare, that he, the Most Christian King, did consent, there should be a free Passage for Couriers to pass at all Times from this Place towards *Madrid*, provided they took their *Route* hence to *Basle*, and kept the *German* Side all along up the *Rhine*; and that they should not enter into the Kingdom of *France* but by the Way of *Switzerland*, and so to *Lyons*, and so forward to gain the *Pyrenees*.

This, they said, was not otherwise declared by them, than upon Condition, 1*st*, That the *Swedish* Couriers should have the like free Passage thro' the Dominions of *Denmark*. 2*dly*, That the Couriers of the *French* Ambassadors hence to *Paris*, should have the like Freedom uninterrupted.

And here we humbly take Leave to observe, that tho' there hath been an Overture formerly made, that the Passage of the *Spanish* Couriers from hence to *Bruxells* should be free, yet there is no such Freedom yet established, which we conceive will, if the Business of the Treaty come to any Ripeness, be an extream Inconvenience to the *French* as well as to the *Spaniard*; for it is not unlikely, but that there will frequently fall out Matters of that Importance, as not to be trusted with the ordinary Post.

In our last, we gave you an Account of the *French* Ambassadors Answer, upon the fresh Instances we had made, and the Papers we had given in, in the Duke of *Newburgh*'s Name, about the Style of those Ministers he intends for this Place.

His

His Envoy being acquainted with the Answers the *French* had made, would needs press upon us to represent to them an Expedient, which, he thought, could remove the great Prejudice they (as he supposed) stuck at: It was, not to grant Passports to the Ministers of any Prince of the Empire, with the Style of *Ambassadors*, unless the Prince asking such Passport should produce such Examples and Precedents in his Family, as the Duke his Master had done; he being confident there were not above three Princes or four at most throughout the Empire, that were able to shew their House had sent Ministers Abroad with the Character of *Ambassadors*, as his Master had done; and that this Rule being kept to, all the little Sovereigns that might pretend to the same Privilege, would stand excluded for Want of Precedents to shew.

This we could not refuse to lay before the *French* Ambassadors, as we did in the same Audience; their Answer was the same as in our last; M. *Colbert* adding, that it would be more proper for this Minister to apply himself to the Emperor, and the other Kings in the Alliance against *France*, and to get them first to agree, and then to declare what Style and Treatment they will give his Master's Ministers, it being most natural for his Allies to lead the Way in a Resolution of this Kind; and then it will be Time enough to call upon the Most Christian King, with whom they are in Enmity, to declare himself in the Point. To this M. *d'Avaux* added, that this was a Case in which the Sentiments of the King our Master, as a great Monarch, having an Interest in such Decisions, were to be enquired into, and made known before the Matter was determin'd.

Inclosed we send you the Copy of a Letter we received on *Tuesday* from C. *Kinski*, as also the Answer we wrote him this Day, by the same Gentleman that brought it.

M. *Van Haren*, in a particular Visit I, Sir *Leoline Jenkins*, made him two Days ago, at his Return from *Friezland*, was very inquisitive with me to know, whether the *French* Ambassaders were yet come to any Resolution upon the Proposal they, the *Dutch* Ambassadors, had made them, of entering forthwith into Business, and of leaving the *Plenipotentiaries* to be adjusted by the Mediators, each Side engaging to procure Powers in the Form that should be agreed on from their Principals; and that what should be treated and concluded in the interim, should stand good. He told me, that if this Expedient were once embraced, they, the *Dutch*, not having *beaucoup à demêler* with the *French*, might come to a speedy Conclusion with them; and that their Differences being once agreed, that Agreement might be left to stand still *in Eventum* (that was a Word he used twice or thrice); then might they, the *Dutch* Ambassaders, he assisting, he said, to us, and employ their Offices with their Allies, to bring the Differences between them on the one Side, and *France* and *Sweden* on the other, as near as was possible to an Accommodation: This we thought was fit for us to give you an Intimation of, tho' it passed but in common Discourse; because it looks like a Tendency to a separate Negotiation.

Since our writing thus far, we have the Favour of yours of the 28*th* past to acknowledge. We shall take the first Occasion to acquaint the *Dutch* Ambassadors with the Answer his Majesty is pleased to give upon the Guaranty of the Neuter Country, which we esteem to be consulted with so great Prudence, and grounded upon so much Reason, that we do not question but they will receive it with Satisfaction.

Your Directions in the Matter of Ceremony with the *Brandenburgh* Ambassadors being very clear, we shall be sure to follow with all Care.

In

In your other, about the *Imperial* Ambassadors, since we are left more to ourselves, and something in the dark, we shall endeavour to govern ourselves with the best Caution we can.

We hope that the Incident between the Lord *Berkley* and M. *Oxenstiern* being composed, by the Advice and Offices of the *French* Ambassadors, without any Consequence to be drawn from the *Omission of the Visits* on both Sides, will be to his Majesty's Satisfaction, and that it will occasion no Interruption of the Commerce between us and them.

We return you our humble Thanks for the Communication of the *Spanish* Memorial, and the Answer to it. We shall watch all Occasions to make that Use of them, as we can think most conducing to his Majesty's Vindication and Service here. We remain always, &c.

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 11*th Decem.* 1676.

Right Honourable Sir,

SINCE our last of the 7*th*, we have none of yours to acknowledge. The same Evening the *French* Ambassadors sent to demand a Conference with us, the Subject whereof was, to acquaint us, that they had that Morning received Letters from their Court, whereby the King their Master had given them full Power to agree upon any Expedient that should here be offer'd, and they should approve of, for determining the Differences occasion'd by the mutual Exceptions made to the several Powers; that thereupon they, the *French* Ambassadors, were content to accept the last Proposal which had been made, of obliging themselves by an Act, to procure, within a limited Time, new Powers, in such a Form as should be drawn up by the Mediators, and agreed to by all the several Parties: But this, upon the Condition which had been offer'd by the *Dutch*, for the entering immediately upon the Matter of the Treaty.

This was the Substance of what they desired us to give the *Dutch*, in Answer to their last Proposal; but was introduced to us by the *French* Ambassadors, with a good deal of Circumstance about the small Weight the King their Master found in the *Dutch* Exceptions; the Reason he had thereupon to adhere to the Form of his first Powers, but withal the great Dispositions he still expressed towards the Peace, and the Consideration he should always shew for the Opinions or Proposals of the Mediators.

On *Friday* Morning we acquainted the *Dutch* Ambassadors with this Answer of the *French*, who said, they would the same Afternoon acquaint their several Allies with it, who are now in Town, *i. e.* the *Danish* Ambassador, who is publick here; and *Don Pedro de Ronquillo*, and the two *Brandenburgh* Ambassadors, who we hear are frequent in Visits or Conferences with their Allies, tho' they have not as yet appear'd in other Company, nor given us Notice of their Arrival.

M. *Beverning* went on to tell us, that they for their Parts would perform what they had told us, and upon the signing of such an Act as they had proposed, by the *French* Ambassadors, would immediately enter into Matter; and therefore desired that we would draw up the Form both of the *Plenipouvoirs*, which should be common to all the Parties, and of the Act obligatory for procuring them within a certain Time; saying,

ſaying, they did not ſee how they could on either Side ſign the laſt without firſt approving the other; or how they could oblige themſelves to procure *Plenipouvoirs* in a Form which they had not ſeen.

We told them, we thought the Meaning of the *French* Ambaſſadors was, that we ſhould at preſent draw up the obligatory Act, but defer the Form of *Plenipouvoirs* till all the Parties were arrived; ſince they did not think it was fit to oblige their Maſter to quit his own Form, and to admit a new one, which might hereafter be refuſed by any of the Parties, and ſo expoſe him to the Neceſſity of further Changes in this Matter.

The *Dutch* Ambaſſadors perſiſted, that we would draw up both theſe Acts together, and ſaid, that if the Form of the *Plenipouvoir* were ſuch as they approved of, and left no Exception to any of their Allies, they did not queſtion their Conſent to it; but if they fail'd of obtaining it, they would, however, enter upon the Treaty without further Delay.

This we reported the ſame Day to the *French* Ambaſſadors, who at firſt differ'd in Opinion among themſelves, whether the Form of Powers ſhould be drawn up at the ſame Time with the Obligatory Act; but deſiring a little Time to retire, and conſult together, at length upon their Return they gave us this Anſwer, that tho' they had received no further Orders, than only to conſent to the obligatory Act, and to refer themſelves to ſuch a Form of Powers as ſhould hereafter be drawn up by the Mediators, and conſented to by all the Allies when preſent here; yet upon the *Dutch* Ambaſſadors Confidence of their accepting ſuch a Form as they ſhould agree to, and upon their Reſolution however, of proceeding in the Treaty ſo ſoon as this Pace was made, they conſented to it, and join'd with the *Dutch* in deſiring us to prepare both the Form of Powers, and a Draught of the Act obliging to procure them.

The ſame Evening we acquainted the *Swediſh* Ambaſſadors with what had paſſed between the *French* and *Dutch* in this Matter, and deſired to know their Intentions likewiſe upon it, tho' they had formerly expreſſed great Facility to fall in with the Expedient, when it was at firſt propoſed by the *Dutch*: They gave their Conſents very freely to all that had paſſed in this Matter, and made us likewiſe their Deſires of drawing up the two mentioned Acts, which we promiſed them (as we had likewiſe to the *French* Ambaſſadors) that we would do with our firſt Convenience, after that we had conſulted and conſidered of the Forms that had been uſed in the like Caſes, eſpecially thoſe at the Treaty of *Munſter*: Beſides theſe Paſſages, which were conveyed by us from one Party to another, there were ſome other which fell in Diſcourſe from M. *Beverning* in one of theſe Conferences, that may likewiſe be worthy your Knowledge and Reflexions: He ſaid, he believ'd, that after the Form of Powers was agreed upon, it would be neceſſary for *France* to give a ſeveral Power for treating with each of the Parties, at leaſt with them and *Denmark*, and the Elector of *Brandenburgh*, in caſe the other Princes of *Germany* ſhould content themſelves to be included in the ſame Act of Treaty with the Emperor: He ſaid, that *Don Pedro de Ronquillo*, upon his Arrival here, had been of another Mind, and thought that one Treaty might comprehend the Intereſts of the whole Alliance; but that he, M. *Beverning*, had convinced him to the contrary, by Inſtances he had given him: As for Example, that when they, the *Dutch*, ſhould produce their Pretenſions, they would conſiſt in four Heads: The Reſtitution of *Maeſtricht*;

The Reimbursement of the Prince of *Orange*; The Reglement of Commerce; and the Satisfaction of their Allies. Now, he said, upon these Points, what could *Spain*, or *Lorain*, or other of their Allies, be concerned in what should pass between them and *France* upon the Reglement of Commerce? And there might be such other Points between other of their Allies and *France*, which as little concerned them; and this would make a Necessity of the Acts of Treaty being several.

Upon Discourse concerning the War, he said, his Masters had already agreed upon the State of it for the next Year, and spoke of the great Armies they should have in the Field, and how near a third Part of their Expence would be saved, by the Retrenchment of their Subsidies formerly paid to their Allies; but confessed after all, that he doubted very much that *Cambray* and *Valenciennes* would hardly be saved from falling into the *French* Hands this next Spring, at least if they should be defended at the same Rate the other *Spanish* Towns have been; and that he believed the *French* would this next Summer make themselves absolute Masters of *Sicily*; which he thought neither we nor they, the *Dutch*, were like to be glad of, considering our Traffick in those Seas, and that the Subjection would thereby fall to the *French*.

Upon *Saturday* Morning we went to the *Danish* Ambassador, and after our Offices renewed for the free Passage of Letters and Couriers into *Sweden*, which he promised to second by his Representations to the King his Master; we told him, that tho' he had not yet thought fit to make the Extradition of his Powers, as the other Ambassadors here had done, yet we esteemed it our Duty, as Mediators, to give him an Account of what had passed among the other Parties here, upon some Difficulties that had fallen out, by their mutual Exceptions to each other's Powers, and of the Expedient they had at length agreed upon; and this we thought fit to do, to the End he might take his Measures, either in exhibiting his Powers, or falling in with the same Expedient as the rest had done.

He gave us Thanks for this Communication, and told us, the *Dutch* Ambassadors had given him the same Account the Day before; that he, for his Part, approved the Expedient, only desired, for his own Justification to his Master, that the obligatory Act might be drawn up with this Condition, that nothing which should be treated in the mean time should be valid, until their new Powers arrived here; but upon our Reasonings, how that no Part of a Treaty could be binding, before the whole were agreed, and that of late Years at least the very Ratification was thought necessary to the Perfection of a Treaty: He said, he was satisfied in the Matter, and would come to us upon *Monday*, and at the same Time both exhibit the Powers he was possess'd of, and declare to us his Consent to the Expedient proposed, of a new and common Form: The same Day we acquainted the *Dutch* Ambassadors with the Agreement of the *French* and *Swedes* to the Expedient, in the Way desired by them, the *Dutch*; which was, that both the Form of Powers, and obligatory Act, should be drawn up by the Mediators at the same Time, and be together presented to the Parties: They said hereupon, that they saw no Difficulty remain in it, and that they had already discoursed it over to *Don Pedro de Ronquillo*, who, as to his own Part, approved of it, but desired that he might acquaint the Count *Kinski* with it, who is still at *Cologn*; and M. *Beverning* added, that for an Affair of that Importance, *il ne faloit pas la peser un jour ou deux*. We have acquainted the *Dutch* Ambassadors with the Reasons, why his Majesty has thought fit to excuse himself from giving any

Guaranty

Guaranty to the Neutral Country; and especially with what fundamental one you gave us, that such a Guaranty might subject his Majesty, upon any small Incident, of a Mediator to become a Party: M. *Beverning* immediately answer'd, that for his own Part, he esteemed this Reason so strong, that he had nothing to alledge against it, and thought that his Masters would be fully satisfied with it, especially upon the Assurances which we gave him at the same Time of his Majesty's Resolution to interpose his Offices, both for the Preservation of the said Neutrality, and repairing any Violation of it, as well as for other Matters which concerned this present Mediation.

Upon the Desires abovementioned from the several Parties here, we have already prepared the Form of a common Power, and of the Act obligatory for procuring it within a certain Time; but the *Danish* Ambassador having taken an Hour this Afternoon, in Pursuit of his Promise, we have thought fit to delay the presenting of those Forms to the Parties, 'till this Conference be over; and thereby another Ambassador come to be engaged in the Acceptance of them. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 14*th* *Decem.* 1676.

Right Honourable Sir,

OUR last was of the 11*th*; since which, we have not any from you to acknowledge.

M. *Heugh*, the *Danish* Ambassador, sent us his *Plenipouvoir* by his Secretary on *Monday*, at the Hour we told you of in our last he had taken, and himself followed soon after.

That which was obvious in it, (as you'll see by the Copy inclosed) is, that his Power is limited with a *Præsertim*, to treat with *Sweden*; he did excuse it with saying, that *France* had not declared the War against *Denmark* when that Power was given him, as will appear by the Date: That this Defect in it would, he said, be certainly remedied, either by his Master's renewing the Power in the common Form, that we have projected for all the Parties, or else by that Power which Count *Antoine* will bring with him when he comes, and that will be, as he told us, within 15 Days.

Upon a further Discourse we had about the Difficulty of comprehending several Parties in one and the same Power, he did express himself, that the Allies, he hoped, however they might be forced to divide in Regard of the Style and Difficulty of ranging the Parties in their Order, would be sure to keep close together in the main Business, and enter into no Measures, but such as would be of joint Concert.

Here he took Occasion to speak himself well pleased with the Disposition he found *Don Pedro de Ronquillo* to be in, for the Business of this Place: His Judgment of him was, that he is a Man of a frank and publick Spirit, but strictly tied by his Orders to a close Concert in all Things with the *Imperial* Ministers, and that that was the Reason he appear'd to be at present unresolved in several Matters, it being a great Disappointment to him, that the Count *de Kinski* is not yet come, and that it is uncertain when he will come.

M. *Beverning*, in an ordinary Conversation, spoke the same Notion of *Don Pedro Ronquillo*, and particularly of his strict Orders to keep fast to the *Imperial* Ministers.

This Conversation being over, and we being yet together at my House the Lord *Berkley's*, Messieurs *Colbert* and *d'Avaux* came to us, but they telling us, they had no Business but that of an ordinary Visit to me, both my Collegues took their Leaves: After they were gone, and some ordinary Discourse past, they (the *French* Ambassadors) let me know the great Apprehensions they had, that the mentioning of his Majesty's Mediation in that Form of *Plenipouvoir*, that we were drawing up for all the Parties, would be Matter of Embarrass, in Regard the Pope's Mediation was to be admitted of likewise, and could not be refused between the Catholick Princes; and that therefore, since the Pope's Mediation was not to be mentioned, it would be inconvenient to mention our King's. I told them, we could do no other than mention it, for that it would ill become us to leave out a Clause of Respect in the Form we had to propose, since their King, the King of *Sweden*, and the King of *Denmark*, and the States General, in theirs, had thought it a Thing due in Justice to his Majesty, and had couched it in Terms of a very high Value and Applause.

I, Sir *Leoline Jenkins*, having been in an ordinary Conversation with M. *Beverning* about an Hour before, had found him apprehensive of the same Difficulty, telling me, that he feared it the more, in that they were not the Allies, but the *French* (and M. *d'Estrades* by Name) that did talk of this Embarrass, as likely to be a Stop to the whole Negotiation; he desired me earnestly to represent it to my Collegues, and press very much that we would follow the Pattern of the Powers at *Munster*, in which the Mediators were not at all nam'd.

As to those Patterns, I told him, the Difficulties were such on the Mediators (that is, on the Pope's) Side, that he could not exercise his Function between the two Sides in War, but in Part only, and therefore could not be named as a Mediator in the whole Negotiation; for *France* had declared, he would never treat without its Protestant Allies; and the Pope in his Instructions had directed his Ministers not to meddle at all in the Affairs of the Hereticks (as he call'd them): Besides, *France* had by Treaty promised the *Dutch* to procure them all Advantages possible, and particularly to stand firm to them for their retaining of those Places they had gain'd from *Spain*; the Pope, on the other Side, declared, that he would not interpose his Offices to any such Effect; and it was not to be expected, he would own a Mediation in a Treaty, that he was afterwards to protest against, as he did most solemnly by his Nuncio against the Treaty of *Munster*, after that it was concluded.

But in our Case, there was no such Difficulty, his Majesty being accepted Mediator by all the Parties, and there being no Sort of Difference in this War, wherein his Majesty will not be at full Liberty to do his Offices, and to value the Reasons of one Party to the other.

M. *Beverning* profess'd he did give us this Caution, not out of any Difficulty they (the *Dutch*) had, to go under his Majesty's Mediation. Upon this I told him, all I could do was, to acquaint my Collegues with it, which I should not fail immediately to do. Upon this Suggestion to my Lord *Berkley* from M. *Colbert* and *d'Avaux*, and to me from M. *Beverning*, we had a Consultation together, and resolved unanimiously, that

that it could not conſiſt with the Duty and Care we ought to have of his Majeſty's Honour, to omit the Mention of his Majeſty's Mediation in a Form that we were to draw up, when we had obſerved it to be expreſſed in all the Powers yet exhibited, and in all, but in the *French* ſingly; and the Mention made there of the Pope, had been the chief Objection of the *Dutch* againſt it; beſides that, in our Draught they could not ſay there was any Thing that could be interpreted as an Excluſion of the Pope, or any other Mediator.

Hereupon we reſolved not to change any Thing in the Form we had drawn up, but repreſent it on *Tueſday* Morning to the ſeveral Parties; and to avoid any Thing that ſhould look like Preference in the Time of our communicating theſe Draughts to the ſeveral Parties, we agreed, that I, Sir *William Temple*, ſhould charge my ſelf with performing that Office to the *French* and the *Dane*; and I, Sir *Leoline Jenkins*, ſhould do the ſame, and at the ſame Time, to the *Swedes* and *Dutch*.

In Purſuance of this Reſolution taken among ourſelves, I Sir *William Temple* went to the *French* Ambaſſadors, and acquainted them with the *Daniſh* Ambaſſador having put his Powers into our Hands, and of which I gave them at the ſame Time a Copy atteſted by us, and deſired to know, whether they thought it neceſſary to have the original Powers ſeen on both Sides, as had been practiſed between them and the *Dutch*: They referr'd me in it to what the *Daniſh* Ambaſſador ſhould deſire; but ſaid, that for their Parts, they thought it not neceſſary, ſince the Parties ſeemed to agree that new Powers ſhould be procured on all Sides in one common Form.

Upon this I told them, I had brought them the Draughts of the two Inſtruments, which they and the other Parties had deſired us to prepare; and read both to them.

As to the obligatory Act, they ſaid, that one neceſſary Condition, as they thought, was wanting in it; which was, that all ſhould be valid, which ſhould here be treated in the mean, and before the Arrival of any new Powers: I told them, it was a Condition that had not been ſuggeſted to us by any of the Parties, but that the Expedient had been propoſed and accepted by them, *pour entrer au plûtoſt en matiere*, which Words were incerted in the Act; that the *Daniſh* Ambaſſador had deſired a Condition in it directly contrary; which was, that nothing ſhould be valid till the Arrival of the new Powers; but that I yet hoped, the meaning might be the ſame in ſo contrary Propoſitions; and that the Difficulty on their Side, might be ſatisfied by the ſame Reaſons it had been on his; for whereas, in a Treaty that ſhould conſiſt of twenty Articles, if nineteen were agreed upon by the Parties, yet none of them could be ſaid to be valid, till the laſt was agreed likewiſe, and the Treaty ſign'd and ratify'd. The *Daniſh* Ambaſſador confeſſed thereby, that he was ſafe in his Pretenſion, ſince whatever ſhould be treated in the mean Time, it would be always in his Power to defer either the laſt Article, or the Signature, 'till the new Powers arrived; and they, the *French* Ambaſſadors, on the other Side, could not pretend, that what ſhould be treated of before new Powers came, ſhould be more or otherwiſe valid, than if it had been treated upon the Powers firſt produced, and without any Occaſion or Stipulation for new.

To this they made a little Demurr; but after Conſultation among themſelves, they told me, that tho' what I had ſaid was true, yet they thought ſome ſuch Condition was neceſſary to be inſerted in the Act; but that they were content it ſhould be ſo expreſſed, that whatever ſhould

ſhould be treated before the Arrival of new Powers, ſhould be valid in the ſame Degree, as if it had been treated upon the old, and they had paſſed without Exception.

As to the Form of Powers, their Anſwer was, that whereas they had formerly offer'd to procure new Powers in ſuch a Form as ſhould be drawn up by the Mediators, and conſented to by all the Parties, they were ſtill ready to perform it; and therefore, if the *Dutch* (who of all their Enemies, yet alone appear'd here) ſhould approve of this Form of Powers, that they the *French* would oblige themſelves to procure new Powers in the ſaid Form, to treat particularly with the *Dutch*; but that they could not oblige themſelves to procure new general Powers in the ſaid Form to treat with all the Parties, till they knew whether all the Parties conſented to it or no, and that they thought could not be done or known, till all their Miniſters ſhould be arrived here.

After this Anſwer, they told me, by Way of Diſcourſe, that the Ground of their Delicacy in this Point, was the Reaſon they had not to ſeem to exclude the Pope's Mediation, by accepting this as a general Form, before they knew whether the *Imperial* and *Spaniſh* Miniſters ſhould agree to it or no.

I told them that my Lord *Berkley* had acquainted us with ſome Converſation that had paſſed from them of that Kind the Night before, but that upon Deliberation, we had reſolved to offer them the Draughts in the preſent Form; that all I would ſay for our Juſtification in it was, 1*ſt*, That we had found his Majeſty's Mediation mentioned in all the Powers exhibited to us by the ſeveral Parties. *Secondly*, That it had been accepted by all the Parties, as well as offer'd to them; which we ſuppoſed the Pope's Mediation could not be. *Thirdly*, That it had been not only accepted, but alſo actually employed for above a Year; and that by the Offices of that alone, not only the Place of Congreſs had been agreed, but the Aſſembly was actually formed, where no other Mediators yet appearing, no other Mediation could be mentioned in theſe Draughts, which had been deſired of us. *Fourthly*, That by this Form of Powers, no other Mediation was excluded; but if any other ſhould hereafter be accepted by ſome, and refuſed by other, we doubted it would not be employed as a general Mediation, but only among the Parties that accepted it. *Laſtly*, That we knew not what other Introduction to make Uſe of in this Draught of the Powers, beſides the Mention of his Majeſty's Mediation, ſince that was the only Reaſon upon which any of the Parties had yet profeſſed to have taken up their Reſolution, of ſending their Miniſters to this Congreſs. After this, I told them, that whether theſe Reaſons were ſtrong or no, yet I was ſure they would at leaſt allow, that it was not fit for us, upon any private Intimations, to leave out the Mention of his Majeſty's Mediation. But if all the Parties ſhould agree to deſire it of us, we ſhould then conſult what would be fit for us to do, and accordingly give our Anſwer.

Hereupon M. *Colbert* told me, that they were fully ſatisfied with what I had ſaid, of the Difference that muſt neceſſarily be between his Majeſty's Mediation, which was general; and that of the Pope's, which could be but particular; that what they had ſaid the Night before to my Lord *Berkley* upon that Point, had been only in ordinary Converſation, and he doubted might have been miſapprehended by his Lordſhip, and that it was ſaid, *ſans aucune viſée*; and that they were ſo far from deſiring the mention of his Majeſty's Mediation ſhould be omitted, that if

if we ourſelves had forgotten it, (which they knew we could not do) they would have put us in Mind of it, and deſir'd us to inſert it.

FROM the *French*, I went to the *Daniſh* Ambaſſador, and told him, that the *French* had referr'd it to him to reſolve, whether there were any Neceſſity of the Original Powers on each Side being ſeen, ſince the Parties ſeem'd to be agreed upon procuring new.

HE anſwer'd, that tho' there ſeem'd no great Neceſſity of it, yet he deſired that the Matter having paſs'd in that Form between the other Parties, the ſame might be likewiſe us'd with him. I then gave him the Draughts of the two Inſtruments beforementioned; upon the reading whereof, he ſaid, he had no Reflexion at preſent to make, nor ſaw any Reaſon not to approve them in all their Parts; if any ſhould occur to him after a Day or two's Conſideration, he would come and acquaint us with it. He ſaid, he ſpoke with *Don Pedro Ronquillo* the Day before, and did not find him likely to make any Difficulty about the Mention of his Majeſty's Mediation, and that for his own Part he thought it neceſſary; and that when the Pope's ſhould be accepted by all the Parties, *alors per alors*, it would be Time enough to think of an Alteration, which were the Words he ended with.

WHILE this was doing, I Sir *Leoline Jenkins* was upon the ſame Errand, *firſt*, with the *Swediſh*, and then with the *Dutch* Ambaſſadors: The *Swedes* gave their Approbation in general Terms to both the Draughts, only they civilly reſerv'd to themſelves a Liberty of further Thoughts upon them; and added, that in Regard all Publick Inſtruments, according to the Stile of their Court, are to be in *Latin*, they muſt deſire us to put theſe into that Tongue.

WHEN I preſented them with a Copy of the Ambaſſador of *Denmark*'s Power, atteſted under all our Hands, M. *Oxenſtiern* told me, that tho' they could not in the leaſt diſtruſt our Care, yet they had ſome Reaſons particular to themſelves, to deſire we would procure them a Sight of the very Original Power; they being charged with a ſpecial Caution that related to the Seal of *Denmark*.

I told him, that we having no more but Copies of the *Swediſh* Powers to give to the *Dane*, and had not the Original to ſhew him, could not regularly bring them any more from the *Dane* but that Copy atteſted; but that as ſoon as they ſhould pleaſe to furniſh us with their Original Power, to the End we might ſhew it to the *Dane*, we ſhould not fail to procure them likewiſe a Sight of the *Dane*'s Power in the Original: This they were ſatisfied with, and ſent us their Original that Evening.

IN this Converſation M. *Oxenſtiern*, ſpeaking of the Facility that one general Form of *Plenipouvoir*, if agreed to by all, would bring to the opening of the main Buſineſs of this Congreſs, ask'd me, with more of Inquiſitiveneſs in his Countenance, to my ſeeming, than in his Words, whether the Emperor had yet accepted of his Majeſty's Mediation, or not? I told him, I made no doubt but he had, and that I had ſeen, before my coming away from *London*, ſufficient Evidence of it in the Hands of one of his Majeſty's Secretaries of State; beſides that, the *Imperial* Miniſter, the Count *de Kinski*, had, about ten Days ago, written to my Collegues and myſelf from *Cologn*, giving us an Account of the Stop his ill Health had for the preſent put to his Journey, which I thought he would not have done, had he not look'd upon us as Mediators, and that it was fit to inform us of the Reaſon of his Stay by the Way.

HEREUPON I asked him, whether any Thing had occurr'd to him, that gave him Occaſion to doubt of the Emperor's Acceptance? He anſwer'd

anſwer'd (as near as I can recollect myſelf) in theſe Words, — *Non, Monſieur, mais on m'a demandé ſeulement cette queſtion, & ce qui me fit faire reflexion là-deſſus, eſtoit que J'avois remarqué eſtant demeuré à* Vienne *qu'on faiſoit quelque difficulté d'accepter la Mediation de ſa Majeſté Britannique.*

I did not enter into any further *Ecclairciſſement* with him upon that Point, becauſe I could not call to Mind then, nor do I find ſince among thoſe Papers, I have any particular Act or Letter of the Emperor's, directly declaring his Acceptance of his Majeſty's Mediation; but the States General, in their Letter to his Majeſty, do expreſly witneſs it of all the Allies; and the Conſtable of *Caſtile*, in his Anſwer to the *Dutch* Miniſter, moving the Queen of *Spain* to declare her Acceptance of his Majeſty's Mediation, doth expreſly ſay, that the Queen had had Advice from *Vienna*, that the Emperor had accepted his Majeſty's Mediation, upon Condition that the other Allies ſhould agree thereto, and that thereupon the Queen accepted it in the ſame Manner; if to this be added what has paſſed ſince Mr. *Skelton*'s being at the *Imperial* Court, I think there is no Place left for any ſuch Queſtion; but that what the Emperor had done is *tant amount* to the moſt full and formal Acceptance in the World.

As ſoon as I had done with the *Swedes*, I preſented the two Minutes to the *Dutch* Ambaſſadors; they took no Exception to either, ſaving that they thought the Word *la forme*, in the obligatory Act, might be left out, the better to avoid Ambiguity; the Objections they had made being, they ſaid, to the Matter of the *French* and *Swediſh* Powers, and not to the Form.

Here they took Occaſion to enlarge (as M. *Beverning* had done the Day before) againſt the mentioning of his Majeſty's Mediation in our *Preamble*, repeating ſtill, they did it not from any Scruple they had in themſelves, or had met with in any of their Allies, but that their Fear was from what was let fall by M. *d'Eſtrades*. As for our Draughts, they ſaid, they would adviſe firſt with their Allies upon both of them, and then give us their own Reflexions, and thoſe of their Allies upon them.

Having conferr'd all three together, after our ſpeaking thus with theſe ſeveral Parties, we thought it moſt convenient to give them (the *Dutch*) an Account of the additional Clauſe abovementioned, which the *French* would have put into the obligatory Act, before they (the *Dutch*) ſhould enter into Deliberation upon it with their Allies.

It was reſolved between us, that I Sir *William Temple*, and I Sir *Leoline Jenkins*, ſhould ſpeak with them in the Afternoon the ſame Day, and after a long Converſation, they reſolved upon theſe four Points:

Firſt, That they will enter into Matter, and treat in virtue of this obligatory Act, in the ſame Manner they would have done upon the firſt Powers, in caſe they had met with no Exceptions.

Secondly, That tho' all Points ſhould be agreed (which they cannot think ſo probable) before theſe new Powers come to Hand; yet that they will not come to ſigning till the new Powers be ſhew'd them.

3dly, That they will have an Article in the Cloſe of the Treaty, whereby they will promiſe the Ratification of their Maſters within a Time prefix'd, and this Article to be reciprocal.

4thly, That ſince they (the *Dutch*) judged it would be neceſſary there ſhould be a particular Power to every Party, for avoiding Competition, as well as for other Reaſons, they would, in caſe the *French* would

would engage to procure a Power in this Form, preſently enter with them into Matter.

In this Converſation, M. *Beverning* told us, he would not have mov-ed for the omitting the Mention of the King's Mediation in the Pre-amble of our Draught of a *Plenipouvoir*, but that M. *d'Eſtrades* had diſcourſed of it to him, as a Thing that would make an *Accrochment* in the main Buſineſs, and had deſired him to endeavour to divert us from it; but that this having paſt in Privacy between them two, he deſired us to make no Words of it.

M. *Beverning* enter'd into a Diſcourſe of the Caution that was ne-ceſſary for the Mediators to obſerve, in not divulging the Time where-in, nor the Circumſtances wherewith, the ſeveral Parties may here-after depoſit their Propoſitions, or other Secrets, with us, (the Media-tors) ſince there was very frequently a kind of a Point of Honour in theſe Circumſtances: In this we promiſed to govern ourſelves with all Caution and Secrecy requiſite.

Yesterday in the Evening, the *Swediſh* Ambaſſadors had a Sight of the *Daniſh* Original *Plenipouvoir*; it was in Paper, not Parchment; and the Seal was upon a Wafer, not very plain: They view'd it very much; but their Anſwer was no more for the preſent, but that that Seal was altogether new to them, and that they would take a Time to give us their Thoughts upon it.

Last Night very late, the two *Brandenburgh* Ambaſſadors gave us the firſt Notice of their being arriv'd here. We remain, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Poſtſcript.

Upon the Notification from the *Brandenburgh* Ambaſſadors, that was given us laſt Night, we return'd our Complement this Morning by our ſeveral Secretaries going together, in the very Words that we ſend herewith incloſed; my Lord *Berkley*'s Secretary, who was to ſpeak, having had Orders not to vary from them in the leaſt.

In our Viſits this Morning at half an Hour paſt ten, wherein we expected not, nor intended any Thing but what paſſes of Courſe in Viſits of Ceremony, M. *Somnitz* obſerving, it ſeems, that I the Lord *Berkley*, who delivered our Complement, gave the Treatment of *Excel-lence* to him alone, and the Stile of *Monſieur l'Ambaſſadeur* ſtill and no more, to M. *Blaſpiel* his Collegue, as we had reſolved beforehand it ſhould be, took Occaſion to tell us, that *Son Excellence Monſieur l'Am-baſſadeur mon Collegue*, (thoſe were his Words) was intruſted and com-miſſion'd the ſame in all Things as himſelf; and that they, both of them, would bring us their *Plenipouvoir*, whereby it would appear, that his Electoral Highneſs had given both of them the ſame Character, with-out any Diſtinction or Difference at all.

This Diſcourſe he broke into three ſeveral Times, before we made any other Reply to the Point, but Aſſurances of Eſteem, and of a fair Correſpondence in general Terms.

At laſt, when we ſaw ourſelves ſo hard and bluntly put to it, we told them how unexpected that *Entretien* was: However, that ſince they did think fit ſo far to inſiſt upon it, as to put us to give them an Account of our Sentiments, upon the Point of Treatment to each of them, we told them plainly we could not do it, but with ſome Diſtin-

ction; yet with no other but what we thought to be the Stile of the Ambassadors of all crown'd Heads, and which had been the Practice at *Munster*. To this their Answer was, a long Reply made by M. *Somnitz*, which consisted, 1. In denying absolutely that there was any such Practice at *Munster*, the Informations to his Master from that Treaty bearing the quite contrary; besides that, at the Treaty of *Oliva*, where himself had been a second Ambassador, he had always receiv'd the same Treatment with the *Chef d'Ambassade*. 2. In telling us the Emperor had granted in Writing to their Master all that they pretend to; and that for the *Dane*'s Ambassador, we might satisfie ourselves with what he does now practise towards them, in all Visits and Conversations in this Town. 3. In offering to bring and leave with us Proofs of what had been done at *Munster* and other Places in this Case. 4. In letting us see they pretended all the same Treatments that was given to the Ambassadors of *Têtes Couronnées*; telling us, there was nothing of Respect we did give to the *Venetian* or *Holland* Ambassadors, but they thought they had at least as good a Right to pretend the same; and that two Ambassadors from this Elector received a like Treatment in all Things with those of *Têtes Couronnées* from his Majesty at his Court.

Our Answer upon the whole Matter was, that we could go no otherwise than according to our present Orders, which we conceived were grounded upon such Informations as his Majesty had had, of what was the Practice at *Munster*, and other Places since; as also upon his Majesty's thinking fit, in this Assembly, rather to follow old Precedents, than to lead to new ones; however, that we were ready to receive any Informations they would be pleased to give us, and transmit them to his Majesty; but that we could not pass any Judgment upon them, nor change our Conduct here, till new Orders from his Majesty.

Just as we are closing this *Postscript*, comes to us M. *Colbert*'s Secretary, who had been this Morning with the other *French* Ambassadors Secretaries, to take an Hour from the *Brandenburgh* Ambassadors for their Visit, and tells us, their Orders were to ask only for M. *Somnitz*, and to make their Complement to him, and treat him once, and no more, with *Excellence*: Their Complement being done, M. *Blaspiel* being present, ask'd them whether they had Orders to speak to him, they answer'd, not; whereupon he immediately went out of the Room, (*fort brusquement*). M. *Somnitz* did not give these Secretaries any Hour for their Masters, but told them the Hour of *three* was taken by the *Dane*, *five* by M. *Oxenstiern*, and *six* by M. *d'Olivenkrantz*; and that afterwards he fear'd it would be too late, excusing himself upon the common Style of assigning Hours, in the same Order they should be asked; so that the *French* are hitherto without an Hour given them.

Nimeguen, 18*th* *Decem.* 1676.

Right Honourable Sir,

SINCE our last of the 14*th*, we are to acknowledge one from you of the 5*th*, containing principally his Majesty's Instructions and Commands what we should say to M. *Beverning*, and the other Parties here, upon the frequent Occurrences we meet with of late concerning the Pope's Mediation, and likewise your Opinion about the Difficulties still remaining in the Pretensions of the *German* Princes.

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WHAT you are pleased to say of this last, how little they would gain by the Admission of the Style of Ambassadors, unless their Treatment were likewise adjusted in other Circumstances, has too good a Proof from what is now arrived here, in the Business of the *Brandenburgh* Ministers; but it was before so evident, that it occurr'd to us to say the very same Thing, in one of our last Conferences with the Duke of *Newburgh's* Minister, who made us an Answer something too artificial; for he said, they did not desire to enter further at present into that Matter, than what barely concern'd the *Style*; and when that was once agreed, it would be then Time enough to declare themselves, in what they pretended as to the *Treatment*, which as yet he could give no certain Account of.

UPON *Friday* the *Dutch* Ambassadors came to us, and told us, that having spoken with their Allies, they now desired us to acquaint the *French* Ambassadors, that for the obligatory Act, they were willing to treat upon it, when it should be sign'd, in the same Manner, and with the same Validity, as if they had treated upon the first Powers, and that no Exception had been made against them: That they found it necessary there should be several Powers given for the several Parties, and therefore desired the *French* would first oblige themselves to procure new Powers, in the Form the Mediators had already drawn up, to treat with them, the *Dutch*, upon which they would enter into Matter; but they desired at the same Time to know of them, whether they would likewise procure new Powers for the other Parties, when they should desire it, and should agree upon the Form.

THESE were the material Points of their Discourse, there were some others of smaller Moment, which they proposed, towards the perfecting those two Instruments drawn up by us; as *first*, that the Draught of Powers should be sign'd by each Party, at the same Time with the obligatory Act; that it should be agreed for each Party to fill up the Blanks in the Style and Language usual to the several Courts; and that where Mention was made in the obligatory Act, of the reciprocal Objections having past *contre la forme des Pouvoirs*, it should be said, *contre les Pouvoirs*; since they said their Objections had been against the Matter, and not against the Form of the Powers.

AFTER we had charged ourselves with representing these Discourses to the *French* Ambassadors, the *Dutch* told us, that having spoken that Day with the *Brandenburgh* Ambassadors, they found them much troubled at the Difficulties they here met with in their Treatment, not only from the *French* and *Swedish* Ambassadors, but from the Mediators themselves; that they had thereupon desired them, the *Dutch*, to represent to us the Arguments upon which they grounded their Pretensions, and to endeavour to find out some Expedient in the Matter.

WE did not observe, in the Deduction made us by the *Dutch* Ambassadors, of the Arguments used by those of *Brandenburgh*, that there was any one Point which had not before been alledg'd by the *Brandenburgh* Ambassadors themselves, in their Discourses to us, of which you have had an Account in our last: And therefore our Answer was, that it was not our Business to determine the Validity of so different Proofs that were offer'd in this Matter, even by Persons on each Side, who pretended to have been present themselves in the Practices they alledged. That what the *Brandenburgh* Ambassadors had offer'd to us themselves at first, and now by them the *Dutch*, we had already represented faithfully to his Majesty, as we should be very ready to do any further Proofs which they should put into our Hands, and should

attend his Majesty's Pleasure upon them; but that for any Expedient in the mean Time, we could not offer at it, having followed our Orders to the fullest Extent of them; and hereupon we desired the *Dutch* Ambassadors to take notice, how we had performed the Part of Mediators, in not tying up ourselves so strictly, as other Crown'd Heads had done, since neither the *French* nor *Swedes* had visited them, by Reason of these Difficulties; whereas we having performed our Visit, had left M. *Somnitz* without Excuse, and under the Obligation of returning it, by which Means he might enter into all Commerce with the Mediators, and thereby into all that was necessary with the Parties themselves, tho' these Difficulties should continue to hinder any Interviews between them. The *Dutch* Ambassadors said, that the Answer was *clair & net*, and that they would report it to those of *Brandenburgh*.

ABOUT the same Time, a Gentleman came to me, the Lord *Berkley*, from the *Brandenburgh* Ambassadors, to make their Complements and Excuses that they had not returned our Visits so soon as they desired; and to let us know, that the Reason of it was our Refusal to give the same Treatment to M. *Blaspiel*, which we had done to Monsieur *Somnitz*.

UPON *Saturday* we went to the *French* Ambassadors, and acquainted them with the Discourses which the *Dutch* had made us the Night before: they desired to consult together upon them, which they did, and coming back to us, they told us with great Complement, how much they were to acknowledge the great Pains and Diligence of the Mediators in these frequent Offices, and their Prudence in digesting such a Form of Powers as might be without Exceptions from any of the Parties, which, they said, we had done; but that it was impossible for any Person of another Nation to know the Properties and Manners of Speech in their Language, so as not to make some Mistakes in them; that upon Perusal of our Draught of Powers, they had been forced to remark several Words and Expressions, that were not at all proper in their Language: as namely, the Word *Congres*, which they said, was not *French*, or if it were, it signified *une Chose pas honnête*. That the Word *Commissaire*, signify'd properly Persons that were sent by their King to his Subjects, and not to other Princes; there were a great many other Remarks which they would give us in a Memorial if there were Occasion: But that they thought, the King their Master could not part so wholly from the Stile of this Court, as this Form of Power would lead him; and therefore they believed the better and the shorter Way would be, for the *Dutch* to make their Exceptions against such Clauses in the *French* Powers, as chiefly concern'd them the *Dutch*; and in Case the Mediators thought it fit to have them left out, they would oblige themselves to procure new Powers in that amended Form, to treat with them, the *Dutch*, provided their Allies might not be mentioned in it; and that when the Ministers of the Allies came upon the Place, and exhibited their Powers, they should then see, what reciprocal Exceptions might arise between them, and that they should govern themselves accordingly; or else they would return to their first Proposition of obliging themselves by an Act at present to procure new Powers in such a Form, as should be *dressée par les Mediateurs avec concert de toutes les parties*.

WE told them, that for what concerned the Proprieties of their Language, we confess'd ourselves very ignorant in them, and should be very glad of their Amendments, which we doubted not would be easily admitted by the other Parties, in Case the Form of the Draught and Sense were left as it is; and that by what they had said, we conceived

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their Intention was ſtill the ſame with what they had expreſſed at our laſt Conference, to procure new Powers in the Form offer'd by the Mediators, to treat with the *Dutch*, but reſerve themſelves as to what concern'd the other Allies, till they ſhould be upon the Place, and ſpeak for themſelves.

MONSIEUR *Colbert* anſwer'd (with Complements ſtill to the Form we had offer'd) that they obſerved in them, upon Peruſal, not only Miſtakes in the Diction, but ſomething likewiſe in the eſſential, which muſt be amended, and others which were ſo different from the Style of their Court, that they could not be admitted; that tho' it was true, they had conſented to procure new Powers for the *Dutch* in this Form, yet it was before they had taken Time to conſider them; and he hoped, we would not make uſe of it to ſurprize them; and that he thought, there were no other Way, but to follow the Example of the Treaty of *Munſter*, and leaving each Party to their own Forms, and for the Mediators to correct ſuch Clauſes as ſhould be found *choquant* in them.

MONSIEUR *d'Avaux* took up this Diſcourſe, and enlarged upon the Difficulties of reducing all to one Form, and upon the Facility of following the Example of *Munſter*; but being this ſhould appear like a retracting what they had formerly offer'd, of procuring new Powers in the Form already preſented by the Mediators, he ſaid, they were ſtill willing to oblige themſelves to it, upon ſuch Amendments as were neceſſary; and being too long to trouble us with now, they ſhould give us them in Writing, if this Form would be inſiſted upon.

MONSIEUR *Colbert* interrupted him, and ſaid with a good deal of Heat, "*il faut aller au fond de cette Affaire, nous ne nous obligerons* "*jamais à une forme des Pouvoirs avec excluſion de la Mediation du* "*Pape, & nous nous ſeparerons plûtôt icy à Nimegue,*" from hence he fell into a Diſcourſe, how all this was, *une piege qui leur eſtoit dreſſeè*, by the *Dutch* and their Allies, who had a Mind to bring them to accept of a Form of Powers, that might exclude the Pope's Mediation, which the Houſe of *Auſtria* might afterwards lay it to their Charge, as an Offence to the Pope; which they were reſolved not to incur.

WE told them, our Parts was only to receive and carry their Anſwer to what we had now brought from the *Dutch*; and to that End, we deſired it might be collected or digeſted in as ſhort and clear Terms as they could: We found this a hard Matter to do; but it ended at laſt in this, that they were willing to oblige themſelves to procure new Powers to treat with the *Dutch* alone, (provided the Word *Allies* were left out) either in the Form offer'd by the Mediators, but with ſuch Amendments as they the *French* ſhould propoſe; or elſe in the Form of their own Powers, with the Change or Omiſſion of ſuch Clauſes as were *choquant* particularly to the *Dutch*; or elſe they ſhould return to their firſt Propoſals of procuring new Powers as ſhould be offer'd by the Mediators, and concerted with all the Parties, when here upon the Place; that for what the *Dutch* deſired concerning ſeveral Powers to the ſeveral Parties, it was a Thing which could not be done; and that if their Allies muſt be named in the Powers, the Words uſed in thoſe of the Marſhal *d'Eſtrades*, of *tous Roys & Princes leurs Alliez*, would comprehend them without any Difficulty about the Rank: That for the ſmaller Matters offer'd by M. *Bevorning*, concerning the Way of perfecting theſe Inſtruments, and leaving out the Word *Form* in the obligatory Act, they would be eaſily conſented to, if the main Points were once agreed; but whereas they had at firſt admitted the Expedient of changing their firſt Powers, only upon the Proſpect of gaining Time in

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the Treaty; they now declare, that they retracted what they had promised in that Matter, in Case the *Dutch* Ambassadors made any further Difficulty of accepting what they had now proposed.

At the End of this Conference, I Sir *Leoline Jenkins* going Home with Sir *William Temple* to his House, we there found *Don Pedro Ronquillo* in the Lady *Temple*'s Chamber; after some Time past in common Conversation, the Ladies leaving us together, *Don Pedro*, as soon as they were gone, fell into long Discourses upon the Business of the Treaty; the Sum of what seemed material in them consisted in these Points. That for his own Part, tho' his Equipage were not come, yet he was ready to produce himself here whenever we thought it necessary; but his Orders being positive to proceed in Concert with the *Imperial* Ministers, he thought it would be to little Purpose, before Count *Kinski*'s Arrival: That he agreed with us very much, in blaming the said Count's affected Delays; and that if they had a Mind to gain Time in the Treaty, he might do it with much better Grace here at *Nimeguen*, than at *Cologn*; that he had written the Night before very earnestly to Count *Kinski* upon this Subject, and hoped he would yet be prevailed with to come hither in few Days; that for the *Spanish* Powers, they were single to each of the Ambassadors, so that he was capable of proceeding in the Treaty, tho' here alone, and even of concluding, if any reasonable Occasion were offer'd him; or if he should have need of any Recourse, it was no further than where he might have an Answer in four Days. He desired to know of us, whether the *French* made a Difficulty upon the Form of Powers offer'd by the Mediators; and when we told him they did, upon their being general, he desired to know how we would proceed upon it, and ask'd us, whether in Case we should follow the Example of *Munster*, where no Mention was made of any Mediation at all, there might not be some other Way found of giving some *éclat à la Mediation du Roy nôtre Maistre*, which he profess'd himself to be extreamly concern'd in.

We answer'd him, that the Form of Powers which we had drawn up, was at the Requisition of all the Parties then appearing here; that this had been made us without the least Intimation of any of them, of omitting the Mention of the King's Mediation; that we had observed the said Mention in all the several Powers exhibited to us, and therefore had thought we could not omit it.

That on the other Side, the Pope's Mediation having hitherto been mentioned only in the *French*, it had been absolutely excepted against by the *Dutch*, and at present by the *Dane* too, as having never yet been offer'd to his Master; but we told him, that if all the Parties should desire us to change that Form in the Powers, as finding a Difficulty arise from the Mention of his Majesty's Mediation; we should then give them our Answer upon it; but in the mean Time, we would tell him, as we had done the *French* Ambassadors before in Discourse, that we were very confident whenever his Majesty knew the Parties desired that Omission, as a Thing that would facilitate the Business here, he would very easily consent to it; and this we had the more Reason to believe, because that the Treaty of *Aix la Chapelle*, tho' every Body knew it was his Majesty's own Work, and that neither the Pope's Nuncio, nor the Ministers of any Catholick Prince, had any considerable Part in it; yet his Majesty had been content, that no Mention should be made in it of his Mediation, nor that his Minister should sign it; which was done only by the Pope's Nuncio, and the Ministers of some Catholick Princes of *Germany*.

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Don Pedro de Ronquillo seem'd satisfied with what we said upon this Subject, and said, he did not see any other great Difficulty could arise in this Preliminary: But we told him, there was another, wherein the *French* and the *Dutch* Ambassadors were of very contrary Minds, which was, that the last thought it absolutely necessary, that several Powers should be given for the several Parties; whereas the *French* were of Opinion, that could not be done. *Don Pedro* answer'd, that he was of the Mind of the *French* Ambassadors in this Point, and that so far, that, for his own Part, he could not consent to treat upon separate Powers, tho' all the rest should desire it.

We told him, that in so material a Point, wherein he and his Allies differ'd so much, we thought it would be necessary for them to consult together, and come to some Point wherein they might all agree. He said, he would speak with the *Dutch* Ambassadors that very Evening if he could, or at least endeavour it next Day, both with them and the *Dane*.

On *Sunday* the *Swedes* Ambassadors desired a Conference with us, the Subject whereof was, to acquaint us with the Exceptions they had against the *Danish* Powers; which was, 1*st*, That no Mention was made in them of *France*. 2*dly*, That the Titles of the King their Master were not expressed at large. And, 3*dly*, That a Novelty was used both in the Style of the King of *Denmark*, and in the Seal; that the Style used by the King of *Denmark* ever since the Treaty of 1611, between those two Crowns, was, *Vandalorum Gottorumque Rex*; whereas in this Power, it was, *Gothorum Vandalorumque Rex*, which was the Title used by the Kings of *Sweden*; and differ'd from the other both in the Position of the Words, and in the Letters of *Gothorum* and *Gottorum*: That in the Seal of this *Danish* Power, they observed likewise a new Quarter added to the Arms, which contain'd those of the Province of *Schoonen*; and the three Crowns in the same Manner that *Sweden* used them.

After we had promised to acquaint the *Danish* Ambassadors with these Reflexions, they told us, they had perused the Draughts of the two Instruments drawn up by us, and having discoursed with the *French* Ambassadors upon them, they found that they, the *French*, could not agree to a Form of Powers, where there was no Mention made of the Pope's Mediation, and that they expected new Orders from their Court in this Matter; that in the mean time they, the *Swedes*, desired to know of us, whether we could think of no Expedient in it: We told them upon this Subject, the same which we had said before upon it to *Don Pedro de Ronquillo*, but added what we had likewise said before to M. *Beverning*, in Pursuance of his Majesty's Commands by your last, that tho' his Majesty pretended not to exclude any other Mediation which the Parties should think fit to use, yet he could not act jointly in any wise with that of the Pope, nor suffer his Ministers to enter into any Commerce, either of Conferences or Visits, with any of his that might be employ'd here.

The *Swedish* Ambassadors seemed much satisfied with this Declaration of his Majesty's, as the *Dutch* had been before; and from thence they fell into the Talk of the *Brandenburgh* Ambassadors, in which they not only agreed in Opinion with us, but M. *Oxenstiern* assured us, of having used the same Practice himself with all Ambassadors of Electors, whilst he was at *Neuremberg*; they quoted to us likewise the Memoirs of *Channut*, in the * 3*d* Tome, whereof about the Beginning, they said, this Practice was clearly asserted by the Example of M. *Thuillerey*, to the *Brandenburgh* Ambassadors at the *Hague*.

* Page 110, & 113.

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After this, they told us of an Accident, which they doubted might break the Order and Peace of the Congress; which was, that two Nights before a Lacquey of M. *Oxenstiern* passing upon his Way before the Door of the *Brandenburgh* Ambassadors, one of their Servants came behind him, and with a Flambeau gave him such a Blow on the Head, as struck him down; that the Lacquey rising again, with the Help of some of M. *d'Estrades* Servants, fell upon those of *Brandenburgh*, and drove them into their Houses; that upon this Accident, some of the Parties were arming themselves privately against such Occasions, and he knew not what the Issue of it might be.

We gave him Thanks for his Communication, and assured him how sensible we were of any Accident that might touch the Peace of this Assembly; and that notwithstanding the Difficulties befallen our Commerce with the *Brandenburgh* Ambassadors, we should yet find a Way of speaking to them, and letting them know our Sense upon this Accident, and both endeavour to procure Satisfaction for what had passed, if the Fact were agreed on, and likewise to prevent any Thing of this Nature for the Time to come.

After the *Swedes* were gone, we resolved, upon Consultation among ourselves, that one of us should go in the Name of the rest to M. *Somnitz*, and complain of this Insolence, declare the ill Consequence that might happen upon it, and his Majesty's Concernment in any Thing of this Nature, and put into his Hands a Paper, containing the same Articles which had been offer'd by us to the other Ambassadors upon their Arrival here, and approved by them all; and to desire hereupon, that in case the Fact be found true, the Delinquent might be sent to M. *Oxenstiern*, according to one of the Articles in that Case.

This Morning we gave M. *Beverning* an Account (M. *Haren* being ill) of what we had been encharged with at our last Conference with the *French* Ambassadors; all the Answer we received was, that he would speak with his Allies, and would then come to us with what he had to say upon it. However, he entered into several Discourses concerning the Matter in Hand, and said, he did not observe any Expedient in what now came from the *French* Ambassadors; for whereas they proposed to procure a Power in one Form or other, to treat with the *Dutch* alone, but without Mention of the Allies, they, the *Dutch*, would not treat in that Manner; and tho' upon the Delay of their Allies they would have been content to enter into Matter, provided they left their Allies at the same Time in a Capacity of treating, which would have been done if *France* had consented to a Form of Powers which might have served the Allies when they came hither, as well as them, the *Dutch*; yet without it, they would not enter into the Treaty before the Chief of their Allies came.

As for the Difficulty made by the *French*, M. *Beverning* told us, the Truth of the Story was, that both the *French* and the *Spaniards* were so delicate in the Point of leaving out the Mention of the *Pope's Mediation*, and so resolved not to give one another the least Advantage in being the first to consent it should be left out, that he found we were likely to meet with very great Difficulty in it.

Upon Discourse in this Conference, we fell upon the Mention of this Expedient, that in case his Majesty, to facilitate the Treaty, should be content with our offering a Form, where no Mention should be made of any Mediation at all, they, the *Dutch*, would endeavour to dispose *Don Pedro de Ronquillo* to declare himself upon it, and the *Swedes* might perform the same Office with the *French* Ambassadors: But if both

both ſhould ſtand upon the Point of not declaring firſt, then each of them might be prevailed with to ſignifie their Reſolution in a ſealed Paper to the Mediators; who, if they found the Thing agreed between them, ſhould proceed upon it; if refuſed by either, ſhould let it fall, and burn the Papers, without ever declaring from whom the Diſſent came.

UPON the whole Matter, we conceive it will be neceſſary to know his Majeſty's Pleaſure, whether we ſhall offer a Form of Powers, without Mention of his Majeſty's, or any other Mediation, in caſe the Parties conceive it neceſſary towards the Progreſs of the Treaty.

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 21*th Decem.* 1676.

Right Honourable SIR,

OUR laſt was of the 18*th*, ſince which we have not any from you to acknowledge. The ſame Day (tho' too late to give you the Communication of it) we received a Letter, and two Papers incloſed in it, (the Copies of which we ſend herewith) from the *Brandenburgh* Ambaſſadors.

IN the Letter, they endeavour to excuſe their not deſiring an *Ecclairciſſement* with us, as they did, it ſeems, with the *French* and the *Dutch*, before they had engaged us to make them a Viſit.

THEY ſeem to ſay, our Gentleman ſpoke ſo low, that they did not perceive the Diſtinction he made between the one and the other of them in his Addreſs; but they are not pleaſed to take Notice, that our Collegue Sir *William Temple* had, above four Months ago, repreſented to M. *Blaſpiel* himſelf, (which he did obſerve to the *Dutch* Ambaſſadors when they came to mediate in this Buſineſs, as we told you in our laſt, and objected to themſelves, when they had forced us to ſpeak our Thoughts in this Point in the Viſit we gave them) the great Difficulties which this Pretenſion of his would bring upon the whole Negotiation, in caſe the Elector his Maſter were not pleaſed to prevent it; if not by ſending his Miniſters without the Character of Ambaſſadors, which would be a certain Means to ceaſe all Pretenſions of the Princes of the Empire for ſending their Miniſters with the Character of Ambaſſadors hither; or elſe, by ſending no more but one Ambaſſador; by which Means the preſent Difficulty would have been avoided.

UPON the Papers which they ſent us in their Letter, there is that occurs to us at firſt View, which ſheweth their Caſe is not ſo clear as they would have it to be. For in the Relation of what paſſed between the *Brandenburgh* Ambaſſadors, and the *Imperial* and *Swediſh* ones, at *Oſnabrug*, in 1645, it appears plainly; 1. That the *Imperial* Ambaſſadors did then pretend to the ſame Thing that we do now. 2. That this Relation does not make out any Point to have been gain'd, but that of *Excellencies* to all the *Brandenburgh* Ambaſſadors. 3. It is to be wonder'd how the Relation comes to be ſo ſhort, as not to give an Account of what paſſed at the *contre* Viſit, for it was there that the Point of the Hand to all the *Brandenburghers*, and the no Difference between the laſt and the firſt of them, was to be clear'd; for it could

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not come in Question while the *Imperial* or *Swedish* Ambassadors visited the *Brandenburghers*.

Besides, if this had been decided at *Osnabrug* in 1645, it is not easily to be imagined, why the *Brandenburgh* Minister at *Vienna* should, in *November* last, after 30 Years Possession, sollicit the Emperor to come to a Declaration in this Point.

Upon this Letter and Papers we consulted together, and resolved not to give any Answer at all to them, but to expect his Majesty's Pleasure upon the whole Matter. Yet the Apprehension we had of the Danger that the Peace of this Place, and consequently, the Being of this Congress is in, if such Insolencies as that we told you in our last the *Swedish* Ambassadors had complain'd to us of, to have been acted upon M. *Oxenstiern*'s Lacquey by some of the *Brandenburghers* People before their Door, were not repair'd, and, as much as lies in us, provided against; we kept to the Resolution we had taken, not to omit on our Parts the doing of so important an Office, as this Case required of us, notwithstanding the Obstacle that the *Brandenburgh* Ambassadors had laid in our Way to come at them; we having had, since our last to you, the Opinion of M. *Beverning* fully in the Manner, as well as in the Matter we had resolved to apply ourselves to them.

Whereupon I Sir *Leoline Jenkins* went to the *Brandenburgh* Ambassadors House, without sending to take an Hour from them, or so much as sitting down (as the Manner is) while I delivered to them that which I had in Charge.

I acquainted them, in the Name of my Collegues, with the Consequences that depended upon the Peace of this Assembly, and how extreamly the King my Master did concern himself upon all Occasions, that it should be kept inviolable. I gave them the Relation of the Insult that had been made upon M. *Oxenstiern*'s Lacquey before their Door, (in the same Words, as near as I was able) and we had beforehand digested in Writing the Words I was to speak, as the *Swedish* Ambassadors had given it us.

I gave them also a Copy of that *Reglement* for the Peace and good Order of this Place, that we had presented to the several Ambassadors who arrived here before them; and told them, we had had their Approbation upon it; shewing them how by this Rule, (which all Ambassadors that have hitherto appeared in this Place do set to themselves) the Satisfaction that would be due to M. *Oxenstiern*, in case the Fact alledg'd were true, was to be given.

I took Leave to recommend to them to make all diligent Search possible within their House, and as they should find the Matter to have been, so I desired them to do right for what was passed, and to provide against the future.

M. *Somnitz* (to whom I addressed myself, and gave him the Title of *Excellence*, but not to his Collegue) answer'd me, that this was the first Notice they had had of any such Complaint; that they would make all Search possible in their Family, and if that Search did not answer Expectation, that they would send to M. *Oxenstiern*, to know if he could give them any Light to discover the Offender, in which case they would be sure to give him Reparation to the full; and we have since found that they soon after sent a civil Message to M. *Oxenstiern*.

M. *Blaspiel* was the first that came down to me to their State-Room; having told him I was come upon a Commission that concern'd very much the Service of this Assembly in general, I left it to his Choice, whether

whether he would deſire his Collegue to come down, or elſe himſelf to take from me what I was charg'd with: He deſired his Collegue might be ſent to and be preſent. While we were expecting of him, M. *Blaſpiel* would have entered into ſome Diſcourſe upon the Matter of the Viſit in Difference between us, I took Leave to cut him ſhort, and to tell him, I was come upon a particular Commiſſion, that related not to that Affair, and was not at any Liberty to enter into any Diſcuſſion with him of that Matter of the Viſit, or any other, but that which I was intruſted with, and directed by my Collegues.

When this was over, we had a Conference with the *French* Ambaſſadors, the main Buſineſs of it was about Paſſports. The Magiſtrates of *Hamburgh* had writ a Letter to us, to deſire our Offices with the Ambaſſadors of *France* and *Sweden*, in order to procure them the neceſſary Paſſports from thoſe two Crowns, for ſuch Deputies as the Town intends to ſend to this Treaty.

The *French* Ambaſſadors made no Difficulty in the Thing, ſo far as to promiſe to write that Poſt to the King their Maſter; no more did the *Swedes*, when we ſpoke to them of that Buſineſs; they ſaid, they would write to the King their Maſter, and deſired, if we ſo thought fit, their Letters might be committed to thoſe Magiſtrates, to find a Conveyance for them; for in all theſe Caſes of Writing, the *Swedes* lay before us the Refuſal that is made of Paſſage to their Letters; we told them, the King our Maſter had a Reſident at *Hamburgh*, and that we would ſend their Letters, if they ſo thought fit, to his Hands, with our Deſires that he would take the neceſſary Meaſures for the ſafe conveying of them into *Sweden*.

Another Paſſport we had to deſire, was for a Gentleman that *Don Pedro Ronquillo* deſired might paſs from this Town to *Luxemburgh*, to take Poſſeſſion of the Place of Secretary and Greffier of the Council there: They told us, that the Moſt Chriſtian King had given Orders that no Paſſports ſhould be granted thenceforth on his Part, and that thoſe that were already granted ſhould ſtand revok'd; becauſe of the Refuſal the Elector of *Brandenburgh* had made of Paſſports to Meſſieurs *de Vitry* and *Rabenac*, to paſs the firſt back into *France*, the other into his Place *en la baſſe* Allemagne; and that for this Refuſal, the Count *de Harach*, Ambaſſador from the Emperor in *Spain*, would be ſtopt upon the Frontiers; which we take Leave to obſerve, becauſe this is a new *aigre*, that will have a great deal of Trouble and Inconveniencies attending it.

In this Conference, the *French* Ambaſſadors took Occaſion to tell us, that notwithſtanding M. *Beverning* had made them believe he would enter into Matter with them by the Beginning of *November*, whether his Allies came or not, yet that they ſaw no Effect of that Promiſe; that they muſt wait with Patience the coming of the *Imperial* Miniſters, and thoſe of the other Allies; and that till they ſhould come, they had no Hopes of doing any Buſineſs.

This they ſpoke, upon our Collegue Sir *William Temple*'s intimating to them, he intended to take a Turn to the *Hague*. He began his Journey on *Tueſday* in the Afternoon, of which we ſuppoſe you'll have an Account from himſelf before this comes to Hand.

The ſame Evening, M. *Beverning* brought us a Letter, that his Highneſs the Prince of *Orange* had written to him and his Collegue, upon Occaſion of the *Courland* Trooper, that had ſome Weeks ago inſulted M. *des Carriers* and another *French* Gentleman in theſe Streets: His Deſire was, that we would communicate the Letter to the *French* Ambaſſa-

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dors, and let them know, the Man was brought to Town, and laid in Prison, but that he denied the Fact; and that therefore they did offer him to the *French*, to put him to the Question, or to order him in what Manner they should please.

THE *French* Ambassadors having been acquainted with this in the Morning, by the Secretary of the *Dutch* Embassy, and with the Contents of the Prince's Letter, profess'd to us, upon shewing them the Original of that Letter, and desiring to receive their Resolutions and Orders touching the Prisoner, they were perfectly satisfied with it, and had given an Account, by the Dispatch of that Day, to the King their Master, of the great Justice and *Honnêteté* that his Highness the Prince had shew'd in this Business; that they expected to hear no more of the Offender, but desired his Pardon might be interceded for; that they had received full Satisfaction for their Master, and the most abundant Civility to themselves, that could possibly be expected; and the Prisoner having yesterday Morning been to confess his Fault (as at last he did) to the M. *d'Estrades*, and to M. *des Carriers*, begging their Pardon, he was immediately after set at Liberty.

M. *Beverning* bringing us this Letter of the Prince, took Occasion to speak of the Difficulties that all Parties are now plung'd in about their *Plenipouvoirs*; and desired, that M. *d'Estrades* might be spoke to before the *Tuesday* Night Post went away (which is their Day of Dispatch), how one of the great Difficulties upon the Powers might be salved: It was about the Number of Powers, which the *French*, he said, were exceeding loth to multiply, and which the Allies, on the other Side, would not be content with, unless each Ally were treated with upon a separate Power.

THE Temperaments he had thought of was, to bring the *French* and the *Swedes* to furnish five *Plenipouvoirs*, and to bring the whole Alliance, on the other Side, to content themselves, and to be comprized within that Number.

THE *first* should be for the Emperor, and under him should be ranged the Electors and Princes of the Empire that are in this War. The *second* should be for the King of *Spain*, and that should take in the Duke of *Lorain*. The *third* should be for the King of *Denmark*. The *fourth* for the Elector of *Brandenburgh*. And the *fifth* for the States General.

HE acknowledged there would be a great deal of Difficulty to bring the Allies to this Temperament; some of them, as *Spain*, being for no more but one Power; and, others, as *Brandenburgh* and *Denmark*, for a separate Power to each Party that desires one; But, he said, he had that Interest with them, and particularly with *Don Pedro Ronquillo*, that he was confident to bring them to this Expedient. He said further, he knew there would be great Difficulty to obtain from *France* so many as *five* several Powers; that M. *d'Olivenkrantz*, with whom he had lately spoken, made a great Difficulty upon it, and that the *French* and the *Swedes* were not agreed in this Point.

ONE Thing we find, by comparing what fell from him in this Conversation, with what M. *d'Olivenkrantz* relates of it, that he has visited the *French* and the *Swede* upon this Difficulty about the Powers, and that he declares himself to be the more at Liberty to do it now, and from henceforward, in that so many Ministers of the Allies are here, and the rest upon the Way. This was the Substance of his Discourse; but when he had understood the Reflexion the *French* made in the Morning upon Count *Kinski*'s Coming, he desired this Temperament should

should not be discoursed of to them, in Order to send it away by that Post.

In this Conversation, M. *Beverning* took Notice, how *Don Pedro Ronquillo* bemoan'd him of the Absurdity committed by *Don Ber. de Salinas* in *England*, by his Memorial; but that they, the *Dutch*, had Occasion given them to complain no less of M. *Van Beuninghen*, who had committed an Absurdity in the same Kind; he wished that his Speculations in Divinity and Philosophy did give him Leave to look to his Business a little better; saying, that he was *un homme de tres grand Estude mais un tres mauvais Politique.*

The same Evening I, Sir *Leoline Jenkins*, being to give an Account to *Don Pedro Ronquillo*, of the Answer we had had about the Passport he desired, I found him undervaluing the Offer that the *French* had made, to give Liberty to Couriers to pass by *Basle* thro' *Switzerland*, and so to *Lyons* into *Spain*; he said, it will be fetching of a Compass of above fourscore Leagues, and so cannot deserve the Name of an Equivalent, to the Passage that is desired of the *Swedes* in lieu of it through *Denmark*.

That which he would be at is, the setting up an extraordinary Courier, that may go hence every *Tuesday* for *Brussels*; he proposing to himself by that Means, to return an Answer to those *Spanish* Letters, that the foregoing Ordinary of *Sunday* shall have brought him, so as to be Time enough in *Brussels* to overtake the same Couriers going for *Spain*.

He spoke much of the great Noise the *French* did make at this Time of their Zeal to have the Pope's Mediation mentioned in the Powers; that he knows this to be an Artifice of theirs, to value themselves, and to cry down the House of *Austria* in the Court of *Rome*; that notwithstanding he, for his Part, would not have his Majesty's Mediation passed by unmentioned; but it must be then in a separate Act, and not in the Preamble of the *Pouvoir*; this, he said, he would not propose, that the *French* may not take Advantage of him, as if he were the first to give his Consent to leave out the Pope in the Preamble.

He mentioned also the 2*d* Difficulty upon the Powers, which was about the Number of them; *i. e.* how many separate Powers *France* and *Sweden* should be required to furnish to the Allies; he did not, he said, in his Judgment desire more than one; but since he saw the Allies would not be satisfied, he would conform himself to their Desires.

He spoke of *Don Bernardo Salinas* Memorial; that he now has it, and the Answer to it; but that *Don Bernardo* did not communicate that, or any Thing else to him; that he, for his Part, would rather have had his Right Arm cut off, than been guilty of such an absurd Disrespect to his Majesty; that if the King his Master had given him precise Orders to put up such Words to his Majesty in a Memorial, he would not have done it, without first having represented his Reasons to the contrary, and then been peremptorily over-ruled upon such a Representation.

M. *d'Olivenkrantz*, in a Conference we had with him about Passports for the *Hamburghers*, took Occasion to enlarge upon the two great Difficulties now depending about the Powers. Upon the *first*, which was the mentioning of his Majesty's Mediation, he thought none of the Ministers here would make it their Request to have it left out, and yet that none of them, who had accepted the Pope's, would acquiesce in

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our Form, since there was no Mention in it made of the Pope's Mediation.

He readily allowed, that we, for our Parts, could not, as Things stand, offer them any Project that did leave out his Majesty's Mediation; therefore that there was no Way, in his Judgment, to get over this Rub, but what his Majesty himself should please to direct.

It appear'd plain enough, that he and M. *Beverning* had talked together upon this Subject: M. *Beverning* having, in ordinary Conversation, expressed himself to the very same Effect; but adding, — *je suis dans l'attente que S. M.* Brittannique *de la Piete & de son Zeale pour la paix ordonnera à ses Ambassadeurs d'offrir un autre Projet ou il n'y aura pas mention faitè de sa Mediation.*

Upon the 2*d* Point, which was the Number of the *Plenipouvoirs*, we perceived that not only they, the *Swedes*, and M. *Beverning*, do differ, but they differ also with the *French*: M. *Beverning* holds it impossible to come to treat, without *five Pouvoirs* at the least; the *Swedes* say *three* is the utmost that is requisite; that is, one for the Emperor, one for *Spain*, and one for the States; but the *Swedes* will grant none for *Brandenburgh*, and they are very loath to grant any for *Denmark*; but would have both of them come in only as Allies and Seconds to the States General.

However, they say, that since the *French* have given out they will procure a special Power to treat with *Denmark*, they will not refuse to do the like; tho', they say, that was a Step the *French* should not have made without their Knowledge and Concurrence.

But yesterday M. *d'Olivenkrantz* giving me, Sir *Leoline Jenkins*, a Visit, told me, he and his Collegue having thought much of the Difficulty about the Mention of his Majesty's Mediation, they had come at last to draw up a few Words, which he would leave in my Hands by Way of Confidence, he said, as a Project that did take Notice of his Majesty's Offices in getting this Place of Congress to be accepted of; which was a Part that neither the Pope or any other could pretend to, and did in the dispositive Part of it leave a Door open for any other Mediator to come in.

The Project goes herewith inclosed: He would not own, when I asked him, that he did offer this as a Form that they, the *Swedes*, and their Ally the *French*, would stand to, and desire us to propose to the Parties; only he acknowledged the *French* had seen it, and he thought would not oppose themselves to it; but that he had brought it to me, because that he knew the Morrow to be our Post-Day, that we might, if we so thought fit, send it to Court, in order to have his Majesty's Pleasure upon it.

We have since understood from M. *Beverning*, that the *French* have had a View of it, and we are not certain but they are the Authors of it: This is certain, that they have so far considered it, as to send it to their Court by last *Tuesday*'s Post.

M. *Beverning* does confess to have seen it; nor doth he say he or his Collegue have any Exception to it; but he says withal, he will not meddle in proposing or promoting it with his Allies; the Reason he gives is, that he, for his Part, is so well satisfied with the Form already proposed, that he has no Reason to desire to have it changed; tho' we are apt to believe, he may have a further Reason, which is, that the *Austrian* Ministers, if they come to discover that this Project comes from their adverse Party, will hardly content themselves with a

Covert

Covert Intimation, that the Pope may come and exercise a Mediation here, when it is by Way of Admittance said in the Preamble, that his Majesty is, and hath been of a long Time upon the Exercise of it. We remain ever, *&c.*

J. Berkley.
L. Jenkins.

Nimeguen, on *Christmas-Eve*, 1676.

Right Honourable SIR,

OUR last was of *Thursday* the 21*st*; since which, we have the Favour of yours of the 12*th* Current to acknowledge.

WE do not find any Particulars in it, that oblige us to give you the Trouble of any Return upon them, besides our humble Thanks for the Communication you are pleased to give us of M. *Van Beuninghen*'s Memorial, and of the Answer upon it; touching both which, we gave you in our last a Tast of M. *Beverning*'s Judgment.

THE Post was no sooner gone on *Thursday* last, but the *French* Ambassadors let us know, they had that Day received Letters from their Court, whereby they were enabled to add still to those Facilities they had already given upon the Preliminaries; that in Pursuance of those Orders, they had dressed a Form of Power, (which was then Writing out) that should contain nothing in it of those Things that the *Dutch* Ambassadors had excepted against; and particularly, that there should be no express Mention made in it of the Pope's Mediation; and yet those that should have a Mind to make use of that Mediation, as having accepted it, or else of the *Venetian*, might do it, they having couched the necessary Implication of it in such general Words as these: *d'aller dans la ville de Nimegue — & y conferer soit directement, soit par l'entremise des Ambassadeurs, Mediateurs respectivement reçeus & agreez*, they added, that there should be in this new Project a Mention made of the King our Master's Offices and Mediation; and in short, that it should be such a Form as might be adjusted to the Contentment of all the Parties in an Hour's Time; and in Order to that, they offer'd to give M. *Beverning*, and any other of the Allies, a Meeting at my House (the Lord *Berkley*'s), and that the several Parties might be in several Chambers, and we go between them, if any Difficulty which they could not foresee did happen to arise.

AS soon as the Form of the *Plenipouvoir* was thus agreed, they would oblige themselves by an Act, to procure and exhibit it under the Seal of *France* within a limited Time; and they did hope and desire, that one *Pouvoir* in this Form might serve the Turn for all the Parties.

BUT in Case the Parties would not be content with one general *Pouvoir* in this Form, they (the *French* Ambassadors) rather than suffer long Delays, would be content to furnish four in all, one to treat with the States General and their Allies, another for the King of *Denmark*, a third for the Emperor and his Allies, and a fourth for the King of *Spain* and his; but that in these two last, they would make a more express Mention of the Pope's Mediation, unless the *Austrian* Ministers would make it their Choice, to treat upon a Power in all Things agreeing with that they now offer to the States.

Friday in the Morning, we communicated this Proposition to M. *Beverning* (his Collegue being not well).

TWO

Two Things in it, he said, he could not agree to; the one was, the Assembling at the Mediator's House to consider this new Project; for all the Allies in Town could not meet there, because of the Difficulties in Point of Rank between them; and it would be as difficult to get them to intrust the Business to one or more of the whole Number; therefore he desired to have the Project given him in Writing, that he, his Collegue, and his Allies, might have the Leisure requisite to consider it. The other Thing he excepted against, was the Offer made of one *Pouvoir* for all in general, and no more; for he was sure, he said, the Allies would not be satisfied with less than five.

The same Evening we gave an Account to the *French* Ambassadors, of this Answer of M. *Beverning*'s, they seemed dissatisfied principally at that, that he refused a Meeting with them, in which they doubted not, they said, to agree all Differences upon the Words of the Power before they parted.

But since he would have it in Writing, they would not refuse to give it him; but desired, that we would put it into their Hands, not as their Expedient, but as our own; at least that we would conceal that it came from them.

We took leave to excuse ourselves, so as not to offer it in our own Names; for that we could not offer a Project, that was intended to be of common Use to all the Parties, but we must have the Directions of all to set us on Work: That we had been so directed, in that we had already drawn, and that that had been the Practice in the like Case at *Munster*.

As to the concealing of their Names, we submitted it to them, how that could be done, since we had Reason to believe M. *Beverning* knew already by whom this Project had been drawn.

When they saw this would not do, they gave us two *Pouvoirs*, the one was a large one, and the same they brought along with them from *France*, only the Mention of the Pope's Mediation and the Prince of *Furstemburgh* was wholly left out, the Words justifying the War, and mentioning the Treaties of *Cologn*, were a little smooth'd; in all Things else, it was conform to their Original Powers; the Copy goes along herewith.

The other Project they gave was a short one, and has this Title; *Project de Messieurs les Mediateurs reduit selon le Stile de France*, you'll find it also herewith inclosed: It mentions so much of the King's Pains and Mediation, as to have got this Town of *Nimeguen* agreed for the Place of Congress; their Direction to us was, that we would first offer the larger to the *Dutch* Ambassadors, and press it on all we could, both from the Inoffensiveness of it, as it stood now retrench'd, and from the Unreasonableness of imposing upon the King their Master any Language (supposing the Words were indifferent) but such as he had been formerly used to in the like Cases, and such as he had directed their first *Pouvoirs* to be drawn in. But they gave us Liberty, in Case we found that this would not down with M. *Beverning*, to offer him the short one.

M. *Beverning*, upon the first reading of the long one, quickly shewed himself to be surprized and dissatisfied at it; and said, the Allies would never endure those Words, (justifying the War) nor hardly the mentioning of the Mediation of the King of *Sweden*; we shewed him, that they were much smoother than in the first Power, and told him withal, that *France* would admit of the same or the like Words, if any of the Allies would think fit to use them, to justify their Arms. He replied, it would be a difficult Thing to express that, which was couch-

couched with ſo much Art (as he expreſſed it) by the *French* in any other Language, as *Latin*, and in other Courts, without going either higher or lower than the Force of the *French* Expreſſion was, which would ſtill beget new Diſputes; but he added one Argument more, that the King of *Spain* had wholly declin'd all ſuch juſtifying Language; and that his *Pouvoir* begun with ſaying, — *That being now come of Age, and entred upon the Government, he had thought fit to apply his firſt Thoughts to the reſtoring of Peace to Chriſtendom.*

Another Thing M. *Beverning* obſerved in the Preamble, it was, that where the Moſt Chriſtian King ſays, the King of *Sweden*, and the Princes his Allies, will bring to this Place the ſame Sentiments that himſelf hath, for the Good and Repoſe of *Europe*, it will certainly alarm both the States General and all the Allies, and the whole Buſineſs will ſtop there, till they can have an *Ecclairciſſement*, whom he means by thoſe Princes his Allies, ſince they know of none in this War but the King of *Sweden*, unleſs it be the Biſhop of *Strasbourg*: This he confeſs'd was a Remark, they the *Dutch* Ambaſſadors did not make, when they made the other Remarks upon the firſt ſhewing of the *Plenipouvoirs*; but he obſerved, it then ſtartled the Allies, and will certainly further awaken that Jealouſie that has been given, by the Inſtances we have formerly made for Paſſports to the Dukes of *Bavaria*, *Hanover*, and *Holſtein*, ſince the Allies do not know of any Buſineſs or Concern thoſe Princes have in this Treaty.

Finding him poſitive in telling us this *Plenipouvoir* would never paſs, but revive the ſame Diſputes; and he having ask'd us, why the *French* did not offer them the ſame ſhort Project that he had already ſeen two or three Days ago, for the *Swedes* Project, that we had juſt before put into his Hands, having made no Difficulty with him, he declared it muſt be a Project of the ſame Nature with that, or none at all, that muſt do the Buſineſs; whereupon we told him, that our firſt Commiſſion was to ſupport, as much as we could, the Stile and Language of the Moſt Chriſtian King; and in the next Place, that if we perceived by M. *Beverning*'s Oppoſition to it, that it would throw the Buſineſs into further Diſcuſſion and Embarraſs, both with them, and the reſt of the Allies, that we ſhould then, without more ado, put the other into his Hands; which, as ſoon as we did, finding it to agree with the *Swediſh* Powers, which we had juſt before put into his Hands, and with the Copy of it himſelf had ſeen before, he acquieſced in it at firſt reading over, without one Word more.

We ſhould have told you, that upon *Friday*, as ſoon as we had done with the *French*, the *Swedes* brought us their Project, which we ſend incloſed; the next of it is our Minute put into *Latin*, the Apoſtils are the Alteration they deſire, and that M. *Beverning* aſſents to. But they, as well as the *French*, would have had us put our Project, thus changed by them, into the *Dutch* Ambaſſador's Hands, as of our own Heads, and being our own Invention; but we excuſed ourſelves in the ſame Manner we had done to the *French*, being aware that it was already in M. *Beverning*'s Hands, he himſelf having ſhewed it us that Morning.

We do not know that it is permitted to us to make any Complements upon ſuch an Occaſion, but you'll pleaſe to ſuffer it to be obſerved to you how both the *French* and the *Swedes* preſſed us ſeverally to put in their ſeveral Projects into M. *Beverning*'s Hands in our own Names, and as of our drawing, when it is certain that M. *Beverning* was poſſeſſed of the one and the other before we knew any Thing of

 them;

them; for when we went on *Friday* Morning, at the desire of the *French*, to propose this Expedient to him, he took the *Swedish Latin* Project out of his Pocket, and read us the Alterations that the *Swedes* had made in it; and yesterday, while we were combating him in the Defence of the *French* long Project, he himself called to us for the short one, saying, he had already seen such a one, before we did either propound or mention it. So that we see these Parties have a secret Communication one with the other; but we do not see, why they should desire our Names should have been used, where the *feinte* would have been disadvantageous to the Sincerity and Fairness that is requisite in our Function, and yet would have discovered it self at first Blush.

M. *Beverning* being now possessed of those Forms of *Pouvoirs* which are to his Mind, he has told us, he forthwith would go about, and press the Allies to acquiesce in them; and he has further declared, that if they do not, he will, without more ado, *passer outre*, enter into Matter; he adding, in Confidence to us, that he had this Day received a Letter from the Prince himself, *avec ordre d'avancer & pousser l'affaire tant que je pourray* — those were his Words.

M. *Beverning* having intreated us to communicate the two Projects, (the short one from the *French*, and the *Latin* one from the *Swedes*) to the *Danish* Ambassador, since he is an Ally that appears in publick; to the End, he (M. *Beverning*) might not be thought over-forward in receiving and managing such Overtures with the Allies; tho' he did charge himself to carry them to the *Spanish* and *Brandenburgh* Ministers, since they lie yet *incognito*.

M. *Heugh*'s Reflexion upon the reading of them was, that tho' we had not, in opening the Matter, (as indeed we had not) given him any Light, who they were that had formed those Amendments upon our Minute, yet it was easy to see, he said, they came out of the *French* Forge; and that since the *French* and the *Swedes* shewed thereby how close they stuck together, he thought it would become the Allies to do the like; and that it would be his Opinion, when he and they should meet together, to have another Project drawn up by the Allies, rather than to have that, which was drawn up by the *French*, imposed upon them; tho' for his Part, he said, he was willing to acquiesce in the Minute that we had offer'd, and did not desire any Change of that, his Master having no thought of any other Mediation than that of the King our Master; and consequently, that there needed no Alteration at all in it in Regard of *Denmark*.

We had likewise in Commission both from the *French* and the *Swedes*, to inform ourselves, whether he would be content to treat upon the same *Plenipouvoir* with his Allies, or whether he expected a particular one from *France*, and the like from *Sweden*?

His Answer was, that a particular Power from each Crown was absolutely necessary; that he had now procured one from the King his Master, to treat *præsertim cum Rege Galliæ*, just as that which he hath already shewed is with a *præsertim cum Rege Sueviæ*, and that the King his Master must be expresly named, as well as the Emperor and the King of *Spain* are in the Original Powers of the *French*.

He took Occasion to speak something by Way of Answer to the Objections that had been made by the *Swedes* against his Power, for the different spelling of the Word *Gotborum*; he was scarce Critique enough to say any Thing in it; but he would inform himself in a convenient

venient Time; and so for the blazoning of the Arms of *Denmark*, he said, he was not Herald enough to give such an Account of it as might be expected; but, he said, that *Poland* had so long born the Arms of *Sweden*, and *England* those of *France*, yet without any Question about them, that they were Instances great enough that the *Swedish* Ambassadors were over-critical in their Objections, grounded in Orthography and Blazonry; and so he treated that whole Affair not over-seriously.

As to the other Objection, upon the Words *cum Rege Sueciæ*, without other Style or Title, he said, there was nothing in it that was a Derogation to his Due; but in the Passport that the King of *Denmark* had given him M. *Heugh*, there was no more but *Rex Daniæ*; and 'tis the constant Style, he says, of his Master, *Rex Daniæ & Norvegiæ*; he added, that M. *Oxenstiern* had less Reason than others might have to object against retaining of Titles after the Possession is lost, in that he himself, in the *Swedish Plenipouvoir*, is styled, *Præfectus Tribunalium Wismariæ*, where his Jurisdiction and Interest is wholly extinct, and in the Hands of the *Dane*.

We thought it convenient to advertize M. *Beverning* with the *Accrochment* that such a Way of Proceeding, as that M. *Heugh* intimated, of falling to make a third Project, upon Suspicion that the *French* are Authors of this second, would bring upon the Business: His Answer was with some Heat, that we saw they, the Allies, have no Mind to enter into Matter; but he added, — *Vous verrez que dans* 15 *jours ils parleront tous d'une autre maniere*, without further explaining himself what he meant by those Words. We are ever, *&c.*

J. Berkley.
L. Jenkins.

Nimeguen, 28*th Decem.* 1676-7.

Right Honourable Sir,

OUR last was of *Christmas-Eve*, since which we have the Favour of yours of the 19*th* Current to acknowledge.

The Temperament about the *Pouvoirs*, which our Letters that were then before you gave some Hopes of, is since in a Manner departed from, as you'll find by our latter Letters; nor hath our Minute of a general Form (either as we gave it in, or as it hath been since reformed by the *French* and *Swedes*) had the Luck to meet with the Approbation of any of the Allies, the *Dutch* Ambassadors only excepted.

For *Don Pedro Ronquillo* finds Fault with it, that there is still a Mention of his Majesty in it, and not of the Pope; and M. *Heugh*, that it is the Dictate of the *French* and *Swedes*, which the Allies must not suffer to be obtruded upon themselves, but offer a Form of their own.

These were their first Reflexions, but this Day they are to have a Meeting upon the Matter of these *Plenipouvoirs*; if so, they have been able to agree the Difficulty about a third Place; for it seems the *Spaniard* and the *Dane* will not meet at the *Dutch* or the *Brandenburghers*, because of the Competition between the two Crowned

 Heads;

Heads; just so the *Dutch* and the *Brandenburghers* cannot meet at the *Spaniard* or the *Dane*'s, because of the like Competition between themselves and that Elector.

We shall take the first Occasion to recommend, in his Majesty's Name, as you are pleased to direct, the opening of a free Passage to the Couriers of *Spain*, between this Place and *Bruxells*; but we must expect that the *French* will demand, in lieu of it, the like Passage for their Couriers from hence to *Paris*.

This being so established, the *Spaniard* will not much care for their Passage into *Spain* by the Way of the *Rhine* and *Suisse*; the Courier that goes once a Fortnight from *Bruxells* to *Spain* will, as *Don Pedro Renquillo* says, do their Business; and then there will be no Equivalent from *France* to the Allies, that may deserve over and above the Passage to *Paris* a Passage to the *Swedes* through *Denmark*.

We are most humbly thankful for the Instructions his Majesty is pleased to give us, touching the Ambassadors of the Princes of *Germany* not Electors. We shall keep close to it, and wait till the Crowned Heads, which are Parties, do agree among themselves about the Treatment of these Ministers, hoping that all Instances we may be pressed with, will receive this Answer, that his Majesty, in his present Figure of Mediator, suspends the declaring of his own Judgment, that he may not hereby be thought to have turn'd the Scales one Way or other, in a Matter that is to receive its Adjustment, not from the Mediator, but from the Parties contesting.

We humbly thank you likewise for the Communication of the several Papers you are pleased to send concerning Prince *William* of *Furstemburgh*; we conceive that Difficulty to be now taken out of the Preliminaries, in Regard that the *French*, in both their new Draughts for a Power, have wholly left out the Mention of it; but the Papers you send us will probably be of Use hereafter; for the *French*, whenever they make any Propositions, or formal Demands in Behalf of themselves, will, in all Likelihood, make that of the Liberty of Prince *William* one of the first.

But that Paragraph in your Letter concerning an *Eventual Treaty*, as you are pleased to word it from M. *de Haren*, is of infinite Weight and Consequence with us; we see that Method of Treating is the readiest Way to come to a separate Agreement, which, if it should be effected, would be an extream Disappointment to his Majesty's Intentions and Zeal to give the World a General Peace.

Our Misery is, that we are at a great Disadvantage in our present Figure, to discover the Steps that are made in it; for besides that the Parties carrying it on, do conceal what they do with all possible Industry from us, the very Allies themselves that are against it, (as well as we) do not give us any Part in their Discoveries and their Thoughts, out of an Apprehension they have, it seems, that *England* strikes into this Conjunction, and is to bear a Part in a new Alliance that this Peace will beget between *France*, *Sweden*, and *Holland*.

What you are pleased to observe of the *Swedish* Mediators at *Cologn*, that they would have interposed a Protestation, had our Peace with the *Dutch* been adjusted there, as it was at *Westminster*, is little to be doubted of; but you'll please to remember, Sir, that not only you and I, Sir *Leoline Jenkins*, thought with ourselves, but the *French* Ambassadors, our then Allies, declared to the Mediators, that the Necessity of his Majesty's Affairs at Home was sufficient to justifie that Separation;

paration; if the *Dutch* come to the like Issue, they will be sure to make Use of the same Argument.

THEY did so in 48, notwithstanding most vehement Protestations given in by the *French*, and repeated again and again both at *Munster* and at the *Hague*; and those grounded upon the strictest and clearest Obligations of Treaty, whereby the *Dutch* were tied to act *conjointement* in all Things with the *French*, not to make any Step the one before the other, in advancing their Negotiation with *Spain*; and if any such Step were made, there to stop upon the Requisition of the other Ally, and to stand still till the other was come up as far as they.

ALL this the *Dutch* pass'd over with very little Regard to so great, so ancient, so then flourishing an Ally, without any Thing being charged upon *France*, but that Cardinal *Mazarin* and M. *Servien* had not so great a Mind to the Peace as some in *Holland* had.

WE humbly offer this, that you may please to judge, what Effect Protestations in general can be of; and further, that since we have never seen the Protestation of the *Swedish* Mediators intended at *Cologn*, whether they were not better founded in that Case than we are in this? For I, Sir *Leoline Jenkins*, shall crave Leave to mind you, SIR, that Baron *Sparr* did, with much more Eagerness than Count *Tott*, press upon us the Obligation we had to continue in the Alliance, from the particular Measures that *Sweden* had entered into with *England* and *France*, in Contemplation of the War.

HE urged, that *Sweden* was obliged to come into the War in such and such Cases, and that it would never have entered into any such Measures, but with a Prospect to find *England* go on in it, as it had begun; this makes us suppose, that the *Swedes*, if they had given in a Protestation, would have grounded it rather upon their Alliance, than upon their Mediation; for a Protestation does generally suppose something of right.

SO in the Protestations made by the Pope's Nuncio, the one at *Ratisbone*, after the Conclusion of a Diet there in 1640; the other at *Munster*, after that the Peace was made; the Ground is, that there was a Prejudice done to the Church in its Rights and Possessions; and therefore that the Pope, in virtue of his Pastoral Charge, was bound to remonstrate to, and admonish the Emperor, as Advocate of the Church, (which is Part of the *Imperial* Office) and so other Princes of the *Roman* Communion, of what they did owe to the Church, and that what they had done, was a Violation to the Church, and consequently, ought to be revoked; nay, was void in itself.

HERE was again a supposed Right, which we do take Leave to mention, that we may have the Favour of your Direction, what Ground and [illegible]urn to give to our Protestation, which we are most ready to make, as thinking it suitable to his Majesty's just Glory and Merit, in the infinite Pains he hath already taken for the General Peace, that something of this Kind be done.

THE *first* Steps (if we may take Leave to conjecture) that are like to be made in this separate Treaty, may possibly be these:

1st, THE *Dutch*, *French*, and *Sweden*, will probably join Issue (as it were) upon the Forms of *Pouvoirs*, as they have been handed to M. *Beverning*.

2dly,

2*dly*, The *Dutch* Ambassadors will let their Allies know, they have their Orders to give in their Demands forthwith, and will press them the Allies to give in theirs likewise.

3*dly*, If the Allies, especially *Spain* and *Lorain*, (for whom, and for none else, the *Dutch* do profess they have a Concern) do refuse to give in any Propositions or Demands for themselves, they, in virtue of their 4*th* Branch, (which is, *Satisfaction for their Allies*) will make Demands for them of Restitution, *&c.*

4*thly*, That when their own three Branches, about *Maestricht*, the Prince, and Commerce, are provided for, which we suppose may be as well otherwhere as here, they will tell their Allies, that this and this they have demanded, and that this and this they will be able to procure for them, and can do no more.

5*thly*, That if this be refused, the *Eventual Peace* will quickly be turn'd into an absolute one.

This we take Leave to represent, as a *Ply* that this Negotiation may chance to take, with Hopes to have your Directions, how far we may go on in interposing our Offices between the Parties, and at which of these Steps it is his Majesty's Pleasure that we should break off with any Declaration or Protestation, such as we shall be further directed to make; in the mean time, we shall take all Occasions to possess the Allies, that the only Thing his Majesty hath in his Thoughts, and in his Designs, is a General Peace, answerable to the End he had in getting together this General Congress, as well as to the Prayers and Vows of all *Christendom.*

On *Tuesday* M. *Beverning* called upon me Sir *Leoline Jenkins*, to tell me, he was not forgetful of the new Projects we had put into his Hands on *Saturday* from the *French* and *Swedes*; that he had already communicated them to the *Spaniard* and *Brandenburghers*, and had spoke of them to M. *Heugh*; that they would have some Meetings about them as soon as the great Holy-Days were over, and would then come to some Resolution.

That he had found them extreamly backward to enter into Business; that he had told *Don Pedro Ronquillo*, *Sicily* might have been saved, if he had been here six Months ago.

That he had told M. *Heugh*, that it is altogether in vain for the *Danish* Minister at the *Hague*, to sollicit (as he does) for Money, Subsidies, and the Loan of Shipping; for *Messieurs nos peuples* (these were the very Words he spoke to him in, as he repeated them to me) *ne se resoudront jamais à donner un sols pour continuer cette guerre*, as long as they have any Hopes of a Peace; and they will still hope for it, as long as the *French* are not *mises dans leur tort*; and those that would have the Continuance of their Assistance, must be able to let the World see, that it is the *French* that refuse the Peace; and this is to be made appear, if at all to any Effect, between this and the Time of the great Assembly at the *Hague* in *February* next.

He said further, that it was a senseless Thing for the Allies to refuse to treat upon the frivolous Exceptions that the *Spaniard* and the *Dane* make upon the Forms of *Pouvoirs*, as they are now mended by

the *French* and *Swedes*; that his Masters will not be paid with such Reasons; that he has Orders to go to every one of the Allies, and to affect them with a full Notice; that his Orders are to enter into Matter upon the said Forms.

That the States will labour what they can to make the Peace General, and to procure the best Terms possible for the *Spaniards*, they having done *honnêtement* by the *Dutch*; but they cannot continue in a War eternally, and that upon a Caprice of others.

On *Tuesday*, as it struck nine at Night, Count *Kinski* notifyed us of his Arrival; and we perceived by the Secretary, that it would not be unseasonable (tho' so late) to return our Complement that very Night, and to take our Hour for to visit him: Our Complement was, as it is used to be, in Words concerted beforehand; the Answer was, as to the Hour we demanded, that he would not give an Hour to the Mediators; but that the Hour of three next Day being given to the *Danish* Ambassador, we might come at any Time after; only he did not know but that he might happen to stay till four or five, in his Visit: The Gentleman that spoke for us replyed, that what his *Excellency* was pleased to say, gave them Cause to suppose some other Ambassadors had been notifyed before the Mediators; for that the Mediators had sent at the very Instant they were notifyed: To this M. *Kinski* replyed, that the *Danish* Ambassador had prevented, and had sent to him to take an Hour, before he had notifyed him of his Arrival: But for the Mediators, he left them to themselves, to come before three next Day, or after, as they should please. This Return being uncertain, and we observing the Proceedings of the *Dane* to be irregular; we sent the same Gentlemen the second Time, and they had the Hour of *Eleven* expresly given them.

Hereupon we visited him at the Hour, and after the ordinary Complements, and representing how unprovided he was of all Furniture in his House, (having taken up at the House intended for the Bishop of *Gurck*) he desired to know of us, whether the *French* and the *Swedes* would, upon the Notification of his Arrival, give him the Visit, and receive from him the Revisit in Manner accustomed; shewing a great deal of Fear and Scruple, and that it was not fit for him to *s'embarquer sans bisuit*, (he used the Metaphor) without having first Assurance, that he should have Right done him.

We offer'd him to engage our Word, all Right should be done him; we told him, that Point had met with no Difficulty at all in this Assembly: We told him, that it was Part of our Function, to dispose the Parties that are adverse to each other, to the Practice of those Civilities and [illegible]sinesses, that are usual in Neuter Places; but that we had not hitherto had any Occasion to imploy our Offices that Way: He would not be satisfied with the Offer we made him, of our Assurances, he would have us *tirer parole* from the *French* and *Swedes* upon this Occasion of his Arrival, tho' not let them know we did it at his Desire. This we promised to do for him, and to satisfie him.

In his Complement, as well as in his Discourse afterwards, he said, his Master was, and would be always ready, *à donner & accepter la paix pour une qu'elle soit seure honnête & durable*; this last Requisite he did enlarge upon in his Discourse more than we expected; and when we had told him, that the Business of the Parties interessed, was to have it *seure & honnête*, and to leave it to the Providence of God, and his Judgment, or Mercy, towards those that came after, to determine

mine how laſting it is to be: But he would have the Duration of it to be the principal Buſineſs of this Aſſembly, and that it was not enough to make it only *ſeure & honnête*; which arguing of his, together with the Reſolution he ſeem'd to intimate, of remaining here *incognito*, till he can ſet himſelf out in Equipage, makes us fear that he does not bring along with him all the Facilities that this Negotiation requires.

It ſeems the *Brandenburghers*, as well as the *Dane*, viſited him yeſterday in the Afternoon; this the *Dutch* do take very ill, for that this Preference is given to the *Brandenburghers*, with whom they have a Competition; whereas they had ſent yeſterday Morning to take an Hour of him, and their Gentleman had for Anſwer, that they might come three or four Days hence, when his Houſe is in better Order.

The Judgment that they make upon him is, that he is not *de mieux verſez en ſon Metier*. We are ever, *&c.*

J. Berkley.
L. Jenkins.

The End of the Firſt Volume.

